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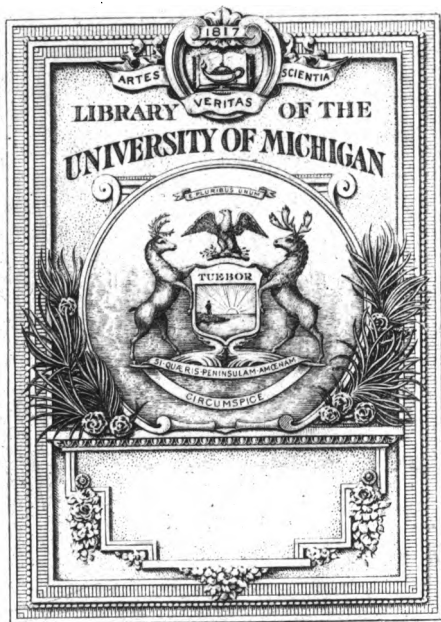
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THE

# JOURNAL OF THE SENATE

OF THE

## STATE OF VERMONT,

### ANNUAL SESSION,

# 1864.

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1865.



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# JOURNAL OF THE SENATE.

Pursuant to the provisions of the Constitution and the Laws of the State of Vermont, the Senate convened in the State House at Montpelier, on the second Thursday, being the thirteenth day of October, in the year of our Lord one thousand eight hundred and sixty-four.

At 10 o'clock, A. M., the Senate was called to order by his Honor, PAUL DILLINGHAM, the President.

Prayer by the Rev. PLINY H. WHITE, of Coventry.

The roll of the Senate was called, and the following Senators answered to their names, to wit :

Addison County.....	EARL CUSHMAN, LEWIS MEACHAM.
Bennington County.....	LEMUEL BOTTM, J. BERTON HOLLISTER.
Caledonia County.....	J. D. ABBOTT, C. S. DANA.
Chittenden County.....	LEVERETT B. ENGLESBY, AMOS HOBART, ANSON J. CRANE.
Essex County.....	L. H. TABOR.
Franklin County.....	WORTHINGTON C. SMITH, N. F. WOODS, WILLIAM S. RUBLEE.
Grand Isle County .....	ASAHEL ALLEN.
Lamoille County .....	SAMUEL M. PENNOCK.
Orange County .....	JOHN B. HUTCHINSON, SAMUEL C. CLEMENT.
Orleans County.....	JOHN H. KELLAM, LEMUEL RICHMOND.

Rutland County .....	MERRITT CLARK, NATHANIEL FISH, WM. T. NICHOLS.
Washington County.....	CHARLES REED, DENSLOW UPHAM, M. P. WALLACE.
Windham County.....	STEPHEN P. FLAGG, CHARLES BARRETT.
Windsor County.....	WENDALL W. WILLIAMS, CLARK H. CHAPMAN, HUGH H. HENRY.

Thereupon the President of the Senate administered the oath of office.

On the nomination of the President the following named senators were appointed on the part of the Senate as the committee to canvass the votes for Governor, Lieutenant Governor and Treasurer, for the year ensuing, and they were thereupon duly sworn, to wit :

Addison County	Mr. Cushman,
Bennington "	" Hollister,
Caledonia "	" Dana,
Chittenden "	" Hobart,
Essex "	" Tabor,
Franklin "	" Wood,
Grand Isle "	" Allen,
Lamoille "	" Pennock,
Orange "	" Hutchinson,
Orleans "	" Kellam,
Rutland "	" Nichols,
Washington "	" Wallace,
Windham "	" Barrett,
Windsor "	" Chapman.

Mr. Williams introduced the following resolution, which was read and adopted :

*Resolved*, That the rules of the Senate for the session of 1863, be adopted as the rules of the Senate, until others are provided.

Mr. Fish introduced the following resolution :

*Resolved*, That the Senate do now proceed to elect a Secretary and Assistant Secretary for the year ensuing ;

Which was read and adopted.

The ballots having been taken and examined for Secretary, it appeared that

HENRY CLARK,

of Poultney, was elected, and he thereupon took the oath of office.

The ballots having been taken and examined for Assistant Secretary, it appeared that

JOSEPH P. LAMSON,

of Cabot, was elected, and he was thereupon sworn.

On the motion of Mr. Bottum, the Senate proceeded to the election of a Chaplain, by *viva voce* vote, and the

REV. PLINY H. WHITE,

of Coventry, was elected.

Mr. Wood introduced the following resolution, which was read and adopted :

*Resolved*, That the Secretary of the Senate be directed to inform the House that a quorum of the Senate have assembled and organized, and are ready to proceed with the business of the session.

Mr. Reed moved that a committee of two senators be appointed to inform the Governor that the Senate have organized, and are ready to proceed to the business of the session.

The President appointed as the committee to wait upon his Excellency, the Governor, Senators Reed of Washington, and Clark of Rutland.

Mr. Englesby introduced the following resolution, which was read and adopted :

*Resolved*, That the Secretary be directed to furnish each senator and officer of the Senate with one daily newspaper, printed in this State, to be designated by the senators or officers.

The committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported that they had performed the duty assigned them.

On the motion of Mr. Kellam, the Senate adjourned.

## AFTERNOON.

Mr. Williams introduced a joint resolution as follows:

*Resolved by the Senate and House of Representatives*, That the joint rules of last session be adopted as the joint rules of the present session, until others are adopted ;

Which was read and adopted.

Mr. Englesby introduced the following joint resolution, which was read and adopted :

*Resolved by the Senate and House of Representatives,* That both Houses meet in Joint Assembly, at eleven o'clock to-morrow morning, to hear the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer.

Mr. Englesby introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the people of the State of Vermont have seen with pride and satisfaction the noble manner in which the officers and men in the volunteer service of the United States from this State, have discharged their duty to their State and country ; and they take this early opportunity, through their representatives, to express to them their high appreciation thereof, and to congratulate them upon the glorious record they have made, of suffering and perils patiently endured, battles fought and victories won.

That the patriotic and gallant conduct of Brigadier General George J. Stannard, since the outbreak of this wicked rebellion, and particularly the brilliant manner in which he handled the division under his command in the recent battles at Chapin's Farm, near Richmond, have eminently entitled him to the kind regard and consideration of this General Assembly, and of the people, as one who has deserved well of the Republic.

That the Governor of this State is hereby requested to urge upon the President of the United States the recognition of those services, by conferring upon General Stannard the additional rank he has so fairly won ;

Which were read and adopted.

Mr. Flagg introduced the following resolution :

*Resolved,* That the kindest sympathy of the members of the Senate is due and is hereby tendered to the honored President of the Senate, Hon. Paul Dillingham, for the great loss he has sustained in the death of a son who fell while gallantly discharging his duty to his country on the field of battle ; and may the memory of the glorious cause in which he fell afford the afflicted father a consolation and support that mere words must of necessity fail to give ;

Which was read and unanimously adopted.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT: I am directed by the House to inform the Senate that a quorum of the House of Representatives has assembled in the Representatives Hall, and the House has organized by the election of Abraham B. Gradner, representative from Bennington, Speaker, and John H. Flagg, of Wilmington, Clerk ;



and that the House are ready on their part to proceed with the business of the session.

The House have appointed as the committee on their part to canvass votes of the freemen of the State, for Governor, Lieutenant Governor and Treasurer, the following named members :

Addison County . . . . .	Mr. Hopkins of Vergennes, " Barker of Leicester, " Holland of Panton.
Bennington County . . .	" Stone of Shaftsbury, " Pike of Searsburgh, " Bokwer of Peru.
Caledonia County . . . .	" Stanton of Danville, " Renfrew of Groton, " Bartlett of Sutton.
Chittenden County . . .	" Stone of Westford, " Newell of Charlotte, " Baldwin of Hinesburgh.
Essex County . . . . .	" Parsons of Canaan, " Shoff of Brunswick, " Ford of Granby.
Franklin County . . . . .	" Parker of Fletcher, " Smith of Richford, " Draper of Sheldon.
Grand Isle County . . .	" Kinsley of Alburgh, " McGowan of Grand Isle, " Town of North Hero.
Lamoille County . . . . .	" Collins of Wolcott, " Chaffee of Belvidere, " Brown of Eden.
Orange County . . . . .	" Kimball of West Fairlee, " Huntington of Strafford, " Spear of Braintree.
Orleans County . . . . .	" Moore of Albany, " Whittlesey of Glover, " Johnson of Jay.
Rutland County . . . . .	" Ross of Ira, " Thornton of Mendon, " Adams of West Haven.
Washington County . . .	" Boyce of Fayston, " Putnam of Middlesex, " Martin of Plainfield.
Windham County . . . .	" Tucker of Halifax, " Blanchard of Somerset, " Brown of Vernon.

Windsor County . . . . . Mr. Carpenter of Bridgewater,  
" Martin of Plymouth,  
" Morrison of West Windsor.

On the motion of Mr. Chapman, the Senate adjourned.

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FRIDAY, OCTOBER 14, 1864.

Prayer by the Chaplain,  
Journal of yesterday was read and approved.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered a joint resolution, from the Senate, providing for a Joint Assembly; also

Joint resolution, from the Senate, relating to the adoption of joint rules;

And have adopted the same in concurrence.

The House have adopted on their part a joint resolution relating to a Legislative Directory;

In the passage of which the concurrence of the Senate is requested.

The following joint resolution from the House was read and adopted in concurrence:

*Resolved by the Senate and House of Representatives,*  
That the Clerk of the House be instructed to procure, for the use of the members of both Houses, seven hundred copies of a Legislative Directory for the present session, three hundred copies of which shall contain the constitution of this State and of the United States.

On motion of Mr. Englesby, the Senate proceeded to the election of standing committees, as follows :

*On Rules :*

Mr. Chapman,  
" Kellam,  
" Bottum.

*Finance :*

Mr. Clark,  
" Chapman,  
" Rublee.

*Judiciary :*

Mr. Englesby,  
" Reed,  
" Flagg.

*Claims :*

Mr. Dana,  
" Pennock,  
" Wallace.

*Education :*

Mr. Smith,  
" Barrett,  
" Nichols.

*Agriculture :*

Mr. Richmond,  
" Hobart,  
" Allen.

*Manufactures :*

Mr. Williams,  
" Clement,  
" Bottum.

*Elections :*

Mr. Kellam,  
" Abbott,  
" Williams.

*Military Affairs :*

Mr. Nichols,  
" Crane,  
" Wood.

*Roads :*

Mr. Hutchinson,  
" Hollister,  
" Allen.

*Banks :*

Mr. Henry,  
" Meacham,  
" Clark.

*Land Taxes :*

Mr. Cushman,  
" Fish,  
" Upham.

*Printing :*

Mr. Reed,  
" Flagg,  
" Tabor.

*General Committee:*

Mr. Fish,  
" Abbott,  
" Tabor.

In the absence of the President, the Secretary directed the Senate to the election of a President, *pro tempore*.

The ballots having been taken and examined, it appeared that

**LEVERETT B. ENGLSBY,**

a senator from the county of Chittenden, had received all the votes cast, and he was declared elected President, *pro tempore*. Thereupon the oath of office was administered to him by the Secretary, and he entered upon the duties of his office.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution providing for a Joint Assembly to hear the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer ; also

A joint resolution inviting the Hon. George Thompson, M. P., of England, to deliver an address in the Hall of the House, on the evening of such early day as may be agreeable to him ; also

A joint resolution providing for a Joint Assembly for the election of State officers ;

In the adoption of which I am directed to ask the concurrence of the Senate.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That the two Houses meet in Joint Assembly in the Hall of the House of Representatives on Monday next, at three o'clock in the afternoon, to elect a Secretary of State, Sergeant-at-Arms, Auditor of Accounts, Superintendent of the State Prison, Commissioner of the Insane, Bank Commissioner, Railroad Commissioner, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, and three Directors of the State Prison, for the year ensuing ;

Which was read. Mr. Williams moved to propose to the House to amend by striking out the word "Monday," and inserting "Tuesday ;" which was agreed to : and the resolution was adopted in concurrence, with a proposal of amendment.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That the Hon. George Thompson, M. P., of England, be invited to deliver an address in the Hall of the House of Representatives, on the evening of such early day as shall be agreeable to him ;

Which was read, and adopted in concurrence.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That both Houses meet in Joint Assembly to-morrow, at three o'clock in the afternoon, to hear the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer ;

Which was read, and, on the motion of Mr. Dana,

*Ordered* to lie.

The hour having arrived for a meeting of the Joint Assembly, the Senate repaired to the Hall of the House of Representatives. Having returned therefrom,

On the motion of Mr. Flagg, the Senate adjourned.

## AFTERNOON.

Mr. Williams introduced the following resolution, which was read and adopted :

*Resolved,* That a committee of two senators be appointed by

the Chair to wait upon his Honor, the Lieutenant Governor elect, and inform him of his election.

The President, *pro tempore*, appointed as the committee :

Senators Williams,

Dana.

On the motion of Mr. Smith, the Senate took a recess until two and one-half o'clock.

At the expiration of the recess, the President, *pro tempore*, resumed the chair.

The committee appointed to wait on the Lieutenant Governor elect, appeared at the bar of the Senate, accompanied by his Honor, Paul Dillingham, who took and subscribed the oaths of office required by the constitution, and upon taking the chair addressed the Senate as follows :

*Senators* :—Permit me through you to present to the freemen of Vermont my grateful remembrance in calling me to the discharge of the duties of this office for the third time. You have heard, gentlemen, in the oath that I have taken, how I have promised that I will execute the duties of this office with equal right and justice to all men to the best of my judgment and abilities, according to law. This promise, of course, I mean fully to keep and perform. My duties, as you are all aware, mostly connect themselves with my duties here, and with your legislation. The law that is to govern my action here is one of your own enactment. You provide in your own rules such requirements as you are satisfied with, and my duty is rightfully to interpret those rules ; faithfully, honestly, and impartially to administer them. And that I shall endeavor to do so, I can, with much assurance, promise you. That I shall understand the letter of those rules I have no doubt, but if you should think at any time, gentlemen, that I have mistaken their spirit, or their true interpretation as I apply them to the business on hand before us, it is your province and duty to correct my errors ; and when you do so I shall receive your criticism in the same spirit of good will with which I doubt not it will be made, and shall endeavor to be guided by your decision. And so, gentlemen, if I should be called upon to interpret the application of the more general principles of parliamentary law, and a question should arise here, my judgment will not be infallible or binding, but will be subject to your control, to your approval or disapproval. And I shall accord to you the freedom of making such decisions with the same cheerfulness with which I doubt not you will accord to me the right of decision in the first instance.

More than a usually large number of the Senators that I new

see around me here, are new to this place. But I recognize among them many that have had much experience in legislation in the other House that constitutes the co-ordinate branch of this Legislature. It is hence my judgment that this Senate brings to the discharge of its duties more than the usual acquaintance with parliamentary law and practice, and all of the means adopted to obtain a speedy, well-considered, and safe conclusion of every matter of legislation that shall come before it. I have no reason to doubt again that the business of the session will be accomplished in a manner satisfactory to yourselves and the people, and that you will go home with the conviction that your work here has been well done, and having the approval of your own consciences and of those you serve.

Beyond this I have nothing to say, unless I speak of the affairs and condition of our common country. It is a theme of absorbing interest, but should I enter upon it here, it would be too exhaustive for the time and place I occupy. I can only say that I am thankful that our affairs look so prosperous, and that there is so much to cheer us, and that we are still called upon to sustain the Government. Vermont has ever been true to that Government, true to every one of her duties, true to her soldiers, true to those she has sent to the field, and true to the families they have left behind them. I can only pray that the cause of our country may inspire you all with the truest patriotism, and that you may have an abiding faith in that cause, that you may remember those you sent to the field, cherish the memory of those that have fallen in battle, and extend your best sympathies and kindest regard to the widows and children they have left behind them.

The President laid before the Senate the following communication from his Excellency, the Governor :

EXECUTIVE CHAMBER,  
Montpelier, October 14, 1864. }

*To the President of the Senate :*

SIR : I have the honor to inform the Senate that I have taken and subscribed the oaths which the constitution prescribes for the Governor of the State ; that I have appointed Samuel Williams, of St. Albans, Secretary of Civil and Military Affairs ; and that I purpose to transmit the Annual Executive Message to the General Assembly at three o'clock this afternoon.

J. GREGORY SMITH, Governor of Vermont.

The President laid before the Senate the following communication :

*To the General Assembly of the State of Vermont :*

I have the honor to submit a Manual of Parliamentary Prac-

tice, in compliance with a joint resolution passed at the last session of the General Assembly.

HENRY CLARK, Secretary of the Senate.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution relating to a committee to examine certificates of votes for county officers ; also a

Joint resolution providing for a Joint Assembly for the election of Judges of the Supreme Court and Reporter of the decisions thereof ; also a

Joint resolution relating to a Parliamentary Manual ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives;*  
That a joint committee of one senator and three representatives from each county be appointed, upon nomination of the President of the Senate and Speaker of the House of Representatives respectively, to examine the certificates of votes given in each county for judges of the county court, state's attorney, sheriff, high bailiff, judges of probate, and justices of the peace, and declare the persons so elected, and report thereon to the General Assembly ;

Which was read, and adopted in concurrence.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives;*  
That the Clerk of the House be instructed to have three hundred copies of the Parliamentary Manual printed with the Legislative Directory ;

Which was read, and adopted in concurrence.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives :*  
That the two Houses meet in Joint Assembly, on Tuesday, the 18th inst., at three o'clock, P. M., for the purpose of electing Judges of the Supreme Court and Reporter of the decisions of said court, for the year ensuing ;

Which was read. Mr. Henry moved to strike out the word "Tuesday," and insert in lieu thereof the word "Thursday;" which was agreed to, and the resolution adopted in concurrence, with a proposal of amendment.

The President appointed as the committee on the part of the Senate, to canvass the votes for county officers :

Addison County,

Bennington "

Mr. Meacham,

" Bottum,



Caledonia County,	Mr. Abbott,
Chittenden "	" Crane,
Essex "	" Tabor,
Franklin "	" Rublee,
Grand Isle "	" Allen,
Lamoille "	" Pennock,
Orange "	" Clement,
Orleans "	" Richmond,
Rutland "	" Fish,
Washington "	" Upham,
Windham "	" Flagg,
Windsor "	" Williams.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to transmit to the Senate, the Annual Executive Message to the General Assembly.

The Message of his Excellency, the Governor, was read by the Secretary, and is as follows :

*Gentlemen of the Senate*

*and House of Representatives :*

After a year of many mercies and great prosperity, as we meet to perform the duties imposed upon us by the constitution of the State, I would earnestly invite you to join with me in rendering to Almighty God the honor and praise that is His due, and to seek His favor and blessing upon the deliberations for which we are now assembled.

I respectfully submit the following statement of the transactions of the State for the year, with such recommendations as seem to require your consideration.

#### FINANCES.

The detailed report of the Treasurer, which I transmit with this, will clearly exhibit to you the financial condition of the State.

From this it appears that the total receipts into the Treasury from all sources have been

Balance September 1st, 1863,	\$2,327,527 66
	122,433 75
	<hr/>
Total disbursements,	\$2,449,961 41
	2,025,864 85
	<hr/>
Leaving balance on hand, September 5, 1864,	\$424,096 56

The amount of funded liabilities is stated to be	\$1,425,401 41
The amount of current liabilities,	\$644,982 13
The amount of current resources,	429,538 42
Excess of current liabilities,	<u>\$215,443 71</u>
The current expenses of the year are approximately estimated as follows:	
Extra pay of \$7 00 per month,	775,000 00
Ordinary State expenses,	150,000 00
Interest on loans and funded debt,	120,000 00
	<u>\$1,260,443 71</u>
Deduct bonds authorized in 1862 and not issued,	250,000 00

Leaving to be provided for by tax or loans, \$1,010,443 71

This amount may be increased to the extent of whatever expenses may be incurred in raising additional troops.

The balance due from the United States for raising and furnishing troops, as reported in my last communication, is about \$60,000 00. This amount still remains unpaid. Efforts have been made to procure an adjustment of the accounts, but causes beyond my control have thus far prevented. The accounts against the United States for the current year also remain unliquidated. These will amount to about the sum of \$30,000 00. I hope soon to be able to effect a full settlement of all these accounts.

Orders have been drawn by me on the Treasurer to September 1st, amounting to \$63,617 48, which may be classified as follows:

Services and expenses of recruiting officers,	\$24,719 84
Subsistence of recruits not mustered,	1,934 82
Transportation of recruits not mustered,	785 07
Medical attendance and inspection of recruits,	73 70
Arrest of deserters,	93 54
Barracks for Co. A, 17th regiment,	485 57
Equipment for recruits for old regiments,	1,577 14
State pay prior to muster and pay of officers,	17,474 42
Expenses of Adjutant and Inspector General's office to June 1st,	6,570 18
Expenses of Treasurer, November 1, 1862, to November 1, 1863,	3,475 69
Services and expenses of Surgeon General,	325 55
Expenses of Executive Department,	435 33
Expenses special agents,	322 20
Care of sick and wounded soldiers, including services	

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and expenses of Commissioner and State agents,	\$4,184 98
Telegrams to August 1st, 1864,	1,159 45
	<hr/>
	\$63,671 48

## STATE AID TO SOLDIERS' FAMILIES.

In October last, I appointed John Howe, Jr., Esq., of Brandon, agent of the State, to furnish the necessary aid to the families of the soldiers. The report in detail of that department is herewith transmitted.

From this it appears the amount expended during the past year is \$18,700 42. The number of families aided, 471. Number of persons aided, 2058.

The transactions in the department under Mr. Howe's management have been conducted with great ability and discretion, and while the duties have been delicate and the labors arduous, prompted purely by motives of patriotism and without compensation, the interests of the State have yet been protected with great fidelity, and the destitute families of the soldiers have received that care and assistance which it was the object of the law to furnish them.

## MILITARY.

On the 3d day of August, 1863, the War Department authorized the raising of two additional regiments of infantry and one battery of light artillery.

In pursuance of this order, my predecessor made arrangements for, and appointed the necessary recruiting officers to raise the 17th regiment of infantry and the 3d battery of artillery, and also to a partial extent the 18th regiment of infantry. It was expected under this order that these could be raised as veteran organizations from the men just returned from the nine months service, and, as inducements for speedy enlistments, the Government authorized the payment of a bounty of four hundred dollars to veterans, and one hundred dollars to new recruits.

The severity of the service which these nine months regiments experienced in the battles at Gettysburg, which occurred just on the eve of the expiration of their term, deterred them from immediate enlistment, and at the time of my entering upon the duties of my office but comparatively few men had enlisted into these organizations.

On the 14th of October, 1863, the call for three hundred thousand men was made by the President, to serve for three years, and authority was given for the payment of four hundred

dollars to veterans and three hundred dollars to new recruits. The quota, under the call, assessed to Vermont, was three thousand three hundred and thirty men, and the period within which to raise the troops was limited to January 5, 1864. The work was at first very greatly retarded from the difficulty of properly adjusting the credits due and belonging to the several towns, from the fact that towns, as sub-districts, were not recognized by the Government. Efforts were, however, promptly made, by application to the War Department, to remedy the difficulty, and after some delay an order was obtained recognizing towns as sub-districts, and the quotas were accordingly assessed to the towns and their credits properly adjusted. The quota of the State was then promptly filled within the period limited by the call, and on the 1st day of February following, sixteen hundred and twenty-one enlisted men stood to the credit of the State as a surplus over all calls that had been made. This surplus continued from that time constantly to augment, with slight variations, under the calls of February 14th and March 14th, so that, at the date of the last call by the President, July 14th, the State had an entire surplus of two thousand two hundred and one men.

Under this last call for five hundred thousand men, the quota of the State was five thousand one hundred and fifty-six. Fifty days from the date of the call was the time allotted for filling the quota, and it is with a feeling of just pride that I congratulate the State upon the promptitude with which she has responded to it, and that on settlement with the General Government to October 1st, there was found to be due to the State a surplus of *one thousand and fourteen* men, which stands to her credit against any future call, should one hereafter be made.

The report of the Adjutant and Inspector General, which will in due time be laid before you, will furnish you more fully in detail the transactions of his department. It is but justice to that officer to say that the State is largely indebted to him for the energy and efficiency displayed in the details of his department. The services rendered by him have been of great value, and have contributed largely in securing to the State the proud position which she this day enjoys.

The efforts which were made throughout the State to fill the quotas under the first call, the liberal bounties paid by the towns generally, and the fact that under this call new recruits received three hundred dollars bounty from the General Government, while under the order authorizing the raising of the 17th and 18th regiments and the 3d battery, only one hundred dollars

was authorized, all conspired to retard enlistments in these organizations, and the question was seriously entertained of disbanding them altogether. Great expense had been incurred up to that period in the attempt to raise the men, and to abandon it at that point would have involved the State in a very heavy burden. I, however, did not feel justified in attempting further to fill the 18th regiment, and accordingly directed the transfer of the men enlisted for that to the 17th regiment. Application was then made to the Secretary of War for authority to pay new recruits for this regiment Government bounty of three hundred dollars, instead of one hundred. This authority was finally, and after repeated efforts, on the 29th of December, granted. Still further difficulties were experienced at this time by the withdrawal of the town bounties. The embarrassments thus encountered delayed greatly the organization of the 17th regiment. The 3d battery was filled and mustered into the service of the United States on the 5th of January, 1864.

On the 18th of last April seven companies of the 17th regiment were sent to the field under the command of Lieut. Col. Charles Cummings. On the 19th day of May the 8th company, and on the 6th day of July the 9th company, were also sent to join the regiment. The 10th and last company has been fully organized, and is now at New Haven, Connecticut, waiting to be ordered forward. By special arrangement with the Secretary of War, this regiment, though its ranks have been sadly decimated by the recent severe battles, has been accepted as a complete organization; and authority has been granted to muster its colonel.

The total amount of men furnished by the State, since the commencement of the war, is thirty-two thousand seven hundred and ten men—as follows :

For three months service,	782
For nine months service,	4,833
For one years service,	1,758
For two years service,	1
For three years service,	25,336
	<hr/>
	32,710

The total number in service on the 1st of October, as near as can be ascertained from the latest returns, is about twelve thousand two hundred and fifty.

The total number raised since October 1, 1863, including 17th regiment and 3d battery, and credits not heretofore allowed, is 14,020.

The State has thus furnished during the past year more men

than in any previous year since the commencement of the war. And the promptitude with which they have been furnished indicates in most unmistakable language the determination of her people to vindicate the power of the Government in this great struggle, and to favor a vigorous prosecution of the war as the only sure means of establishing a peace that shall be alike honorable and enduring.

#### AMENDMENT OF ENROLLMENT.

Previous to the call of the President for five hundred thousand men in July last, orders had been issued by the War Department to the Acting Assistant Provost Marshal General of Vermont, to have the enrollment lists in the several towns in the State properly revised and corrected up to July 1st, 1864. Notices were accordingly published in several newspapers in the State, calling upon the selectmen to see that the enrollment lists were properly corrected. Upon the returns thus made the quotas of the several towns were assessed. Owing, however, either to the fact that the notices did not reach all the towns, or to a misunderstanding and neglect on their part, great discrepancies were found to exist when the quotas were announced, and numerous applications were made to the Acting Assistant Provost Marshal General for the correction of these errors and the reduction of quotas. A careful examination into these complaints satisfied that officer that there were just grounds for them, and that further opportunity should be given for correcting the lists. Accordingly on the 24th day of August notice was given to the towns to correct the lists, and upon returns being made, it was ascertained that the former enrollment was too large by nearly five thousand, and that consequently the State had been assessed nearly eight hundred men too many. A new assessment of quotas was therefore ordered. The Acting Assistant Provost Marshal General, however, did not feel authorized to make any alteration or reduction of the general quota assessed to the State at large, or to the several congressional districts. Consequently the new assessment to towns was made upon the amended enrollment, still retaining the basis of the old assignment of quotas to the State and congressional districts. This mode of assessment, although affording relief to some towns, only increased the burden to others, without relieving the real point of difficulty. It became necessary, therefore, to apply to the War Department for the necessary relief. I accordingly made application, and succeeded in obtaining not only the proper reduction of the enrollment, but also the corresponding reduction of the quota of the State, and authority

to apportion this to the several towns entitled to the same, so as to equalize the several congressional districts. The number thus credited was seven hundred and sixty-seven men, which have been properly distributed to the towns, thus giving to many towns who had already promptly furnished their full quotas, a large excess and credit to apply on future calls, while at the same time those towns which were unjustly burdened by too excessive an assessment have been properly and justly relieved.

The question of the expiration of the term of service of the recruits who enlisted into various regiments from this State in the summer and fall of 1862, has been an exceedingly delicate and troublesome one, both to the State authorities and to the General Government; and while I have labored earnestly both by frequent correspondence with the War Department, and by personal interviews, to secure for them what seemed to me but an act of justice, I am yet compelled to report my inability to accomplish any favorable result.

A simple narration of the facts will better convey to your minds the true position of affairs, and enable you to judge of your duties to these men under the peculiar circumstances in which they are placed.

In 1862 the Governor of Massachusetts obtained from the War Department a special order for that State, to the effect that the term of service of all volunteers enlisting in regiments then in the field, would expire with that of the regiment to which they might attach themselves, which order was promulgated in the usual form by publication in the papers of the day. At the same time efforts were being made to recruit for the Vermont regiments, and the order from Massachusetts being published in the form of a general order, and in papers that were extensively read in this State, inquiry was made of the State authorities, both by officers recruiting and by the recruits themselves, whether the term of service of such as might enlist in the Vermont regiments would expire with that of the regiment into which enlistments might be made. To this inquiry, reply, as I am informed, was uniformly made, that it would, and assurances were freely given in all cases where the question was raised, till it became the general understanding throughout the State. Upon the strength of these, coming thus authoritatively, recruits enlisted freely and joined the regiments of their preference.

My attention was first called to the subject by a memorial, signed by several of these recruits, who had been informed unofficially that they were to be held for the full three years' service. The enlistment contracts and muster rolls, signed by the

recruits, were for the period of three years, but these were at the time regarded as mere form, the assurances given being most prominent in the minds of the recruit, and being wholly relied upon by them. The faith of the State thus became strongly pledged to these men, and they had the right to believe that the pledge would be preserved inviolate.

In May last I first called the attention of the President and Secretary of War, to the subject, and they informed me that no authority had ever been granted to this State for such assurances as were given, and while they deeply regretted the disappointment to these recruits, and would cheerfully grant the request for their discharge with the several regiments to which they were attached, if it could consistently be done, yet that regard for the public safety compelled them to deny the request. That the same question existed in other States, and to grant the request in one instance would settle the principle as to all, and great injury would consequently result to the service, just at the critical period of an important and active campaign. Subsequent applications have resulted in a similar manner. The disappointment to the recruits in many instances is very great, and yet, I am proud to say, that, so far as has come to my knowledge, these soldiers have borne their disappointment manfully, and have performed all the duties assigned them with a cheerfulness and alacrity that speaks loudly in their praise.

I would respectfully submit for your consideration whether it might not be well to place these recruits for the remainder of their term on the footing of re-enlisted men, and, if anything should be done for these latter, in the form of a bounty from the State, that these recruits should also, under these circumstances, be considered, and receive the same or a proportionate bounty. These recruits embrace those who enlisted in 1862 into the regiments and organizations then in the service, and companies L and M of the 1st Vermont Cavalry.

#### STATE MILITIA AND MILITIA LAW.

In my last communication I took occasion to direct your attention briefly to the subject of adopting an efficient and active militia system. The events of the past year and the present threatening aspect of affairs, render it especially proper that I should again, and more earnestly, invite you to a serious consideration of the subject.

Vermont stands to-day utterly destitute of any arm of defence or any efficient power to resist or to prevent invasion. The dangers to our northern frontier are by no means inconsiderable, nor



can I with a just regard for the welfare of the State overlook them; nor, in the light of the evidence now in my possession, can I justify myself in withholding an urgent appeal to the Legislature to frame such law as will place the State in that position of security, and afford those means of protection to her people, without which they are left exposed to the most wanton and high-handed predatory incursions. A prudent regard for the public interest does not admit of my communicating, in this form, all the facts in my possession tending to show the actual dangers to which, during the past year, the State has been exposed. It is sufficient for me to say that such evidence, coming from authoritative sources, was placed in my possession as satisfied me that the peace and safety of our border were seriously threatened, and to lead to the adoption of proper measures to prevent disasters which would have been most serious in their consequences to the entire community. Nor are the dangers by any means altogether averted. The more recent movements upon the western lakes and along the northern frontier are but evidences of thoroughly organized plans, limited by no means to those special localities, but extending throughout the whole line of our frontier, manifesting themselves now upon the more easterly portion and now at other and more remote points along the western border, but all partaking of the same general purpose, and bearing unmistakable evidence of being controlled and actuated by one master mind.

I am not unmindful of the sentiment that has hitherto so extensively pervaded the minds of the people of the State, in regard to organizing the militia; and the arguments that have been urged against such a measure have appealed to my own mind heretofore with controlling force. The burdens already resting upon the State are large. The young men who would have been relied upon to bear the most prominent part in such organization have been drawn from us to engage in the active service of the country; the industrial enterprises of the State have thus to a great extent been made to suffer, and heavier burdens are in consequence thus imposed upon those who are left at home.

These and kindred arguments have weighed with me hitherto with great force, and I have been not altogether free from doubt as to the expediency of attempting such an organization at the present time. I have, however, become fully satisfied that a just regard to the safety of our commonwealth demands now at the hands of the Legislature an immediate and vigorous preparation for defence.

If there were ever a time when our safety depended upon our vigilance, when a well ordered and efficient militia would prove a bulwark to preserve our peace, and a "basis of defence" against threatened invasion, and perhaps the only means of averting it, that time has, in my deliberate judgment, fully arrived.

Feeling thus the importance of an immediate organization of the militia, and with a view to relieve the State, so far as is practicable, of the great and principal source of expense attending such an organization, I made application to the Secretary of War for a sufficient quantity of arms, accoutrements and ordnance stores to arm and equip the militia of this State to the extent of fifteen thousand muskets, in the event of an organization of the militia by the Legislature. In reply the Secretary of War has signified his willingness to furnish the amount required. The State will thus be relieved of the great and principal item of expense; and that which has hitherto been used as a most potent argument against an organization, is now removed. I also received personal assurances from the Secretary that camp equipments such as might be required for drill and instruction in camp would be freely furnished by the department to the extent needed, on the proper requisition.

I transmit with this the correspondence with the Secretary of War on this subject, to which I would respectfully call your attention.

I would therefore respectfully recommend the passage of an act providing for an immediate and proper enrollment of all the arms-bearing population of the State, with proper provisions for examinations and exemptions; from the number thus enrolled, such number of regiments, brigades, and divisions to be organized, armed and equipped, as in your better judgment may be thought expedient, and suitable provision to be made for necessary drill and instruction in military duty, and for calling out the militia as occasion may require, with power to the Executive of the State to draft from the enrolled militia to fill up from time to time the regiments organized, or if necessary to organize new ones.

Upon the proper details of such an organization you will be best able to judge, and I commit the whole subject to your careful consideration, trusting that you will be led to such favorable results, and perfect such a system as will be simple and efficient, and at the same time secure to the State that sure and ample measure of protection from foreign aggression which can be best found, in the form best adapted to our free institutions, only in

a well trained and thoroughly-disciplined, patriotic citizen soldiery, "ever present, rarely seen, quartered among us, not in camps and forts, but at the fireside, in the counting-room, the workshop, the place of business," ready with stout hearts and trained hands to defend our firesides and our homes from the aggressions of a foreign foe, or from the more ruthless attacks of bold marauders, instigated and led on by domestic traitors.

## HOSPITALS.

In obedience to the joint resolution of the two houses authorizing and requesting the Governor to provide further and ample accommodations for the sick and wounded Vermont soldiers, I proceeded at once to make such provisions as the interests of the State and the exigencies of the service seemed to require. Instructions were given to the acting Surgeon General of the State, Dr. S. W. Thayer, to make provision for the enlargement of the hospital at Burlington to the extent of two hundred beds; and also to examine and report the best location for the erection of hospital buildings, regard being had to the best accommodation of all parts of the State. In obedience to the instructions given, the acting Surgeon General made the proper examinations, and submitted his report, recommending Montpelier as the best and most desirable location, all things considered, and that the necessary buildings for the accommodation of three or four hundred patients be erected, as soon as practicable, provided the location should meet the approval of the Medical Director of the Department of the East. The Medical Director in a personal interview approved the location, and the report of the Surgeon General of the State was subsequently submitted to him, and received his cordial approbation. The report and letter of approval are herewith transmitted. Preparations were accordingly made for the erection of the necessary buildings, and the work was placed in charge of the Quartermaster General of the State.

In the early part of June last the buildings were partially completed, and accommodations prepared for about three hundred beds.

The reports from the several hospitals show that an aggregate of four thousand two hundred and sixteen patients have been received during the past year, as follows :

At the United States General Hospital at Brattleboro,	
since October 1, 1863,	2412
At the Baxter United States General Hospital at Burlington,	
since October 1, 1863,	933
At the Sloan United States General Hospital at Montpelier,	
since the completion of the Hospital in June,	871

The same reports show remaining in Hospitals, October 1st, 1864, an aggregate of thirteen hundred and four, as follows :

United States General Hospital, Brattleboro,	487
Baxter United States General Hospital, Burlington,	338
Sloan United States General Hospital, Montpelier,	479

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1304

The large number of wounded in the recent battles will soon increase this number, and added to this the usual proportion of sick among the new levies who have just gone to the field, the hospital accommodations will soon now be found too limited.

The amount expended in enlarging the hospital at Burlington has been assumed and paid by the General Government, and that amount does not appear in the accounts of the State. The Treasurer of the State has advanced, by my direction, for the hospital at Montpelier, the amount of thirty-two thousand five hundred dollars. Other buildings are now in process of construction, consisting of a chapel and barracks for the Veteran Reserve Corps. The work has been under the supervision of the Quartermaster General of the State, and all vouchers and details of expenditures will be found in his accounts.

In May last, arrangements were made with the War Department to occupy the hospital so far as finished, and to supply the necessary furniture. Notwithstanding the large increase of hospital accommodations, there is not yet sufficient in the State to supply the demand, and many soldiers are still left in distant hospitals unable to be transferred to Vermont for want of room.

No State has made more liberal provisions for its soldiers than Vermont, and I am happy thus to congratulate the State on the position which she occupies in this respect. Whether it would be advisable to make still further provision to increase the accommodations, is a question left to your careful consideration. The matter of expense to any reasonable amount is unworthy of consideration, in comparison with the welfare and comfort of the men who thus nobly offered their lives to their country.

#### GETTYSBURG CEMETERY.

Soon after the memorable battle at Gettysburg in July, 1863, the plan for locating a place for the interment of the remains of the heroes who fell there in defense of the Union, was originated. In pursuance of this design, arrangements were made by the Governor of Pennsylvania for the purchase of the land necessary for the purpose, and with a view to make it national in its character, correspondence was opened with the Governors of

the loyal States having soldiers lying on the battle-field, and their co-operation invited.

Arrangements were also completed for reparing and beautifying the grounds and for gathering in from the rude graves, where they were temporarily buried, the brave and gallant dead of the different States, and interring them in lots set apart to each State.

To secure for Vermont a suitable lot, and the more carefully to superintend the disinterment and reinterment of the fallen soldiers from this State, on the 23d of October last I appointed Col. W. G. Veazey agent in behalf of the State, with instructions to proceed immediately to Gettysburg to discharge the duties assigned him. The report of Col. Veazey is herewith transmitted for your information.

The cemetery grounds were formally dedicated with appropriate ceremonies on the 29th day of November, 1863. The title to the grounds is vested in the State of Pennsylvania, "in trust for all the States having soldiers buried in said grounds."

The total number buried in the cemetery from all the States, is three thousand five hundred and twelve, and the number from this State is sixty-one. Great care has been taken to ascertain and preserve the identity of the bodies, and they now rest in the new cemetery grounds, near the spot where they fell, surrounded by all that art and love can do to adorn their final resting place, hallowed by the memories of that great struggle for liberty and humanity, to which they consecrated themselves, and in which they so freely yielded up their lives.

Pursuant to the provisions of the act of incorporation, I appointed Hon. Paul Dillingham commissioner for the State of Vermont.

The total cost of completing the cemetery is estimated to be sixty-three thousand five hundred dollars, and the several States interested in the enterprise are called upon to appropriate their proportion to this amount, to be divided on the basis of the representation of the several States in the Congress of the United States. The proportion of Vermont will be about twelve hundred and sixty dollars. An order for one-fourth of this sum, three hundred and fifteen dollars, as the first installment, was drawn upon the State, but there being no appropriation specifically made for this purpose, the order could not be accepted. Strong assurances were, however, given by the commissioner, Lieutenant Governor Dillingham, that the necessary appropriation would be made at the present session of the Legislature. I would, therefore, respectfully recommend that appropriation

be made of a sum sufficient to pay the proportion of these expenses that may be due from Vermont, and empowering the Governor of the State from time to time to appoint commissioners under the act of incorporation.

I herewith transmit the report of Hon. Paul Dillingham in reference to the subject.

#### BOUNTIES TO RE-ENLISTED SOLDIERS.

I would most respectfully call your attention to the propriety of providing for the payment of some suitable bounty to the veteran soldiers who have re-enlisted for another period of three years. It is but an act of justice to these gallant soldiers that they should receive some fitting recognition of their devotion, and this new act of consecration to the service of the country.

The State and several towns entitled to them have been credited with these re-enlistments, and have thus been enabled to fill their quotas to that extent with veteran soldiers. Upon the return of these veterans on the promised furlough, they confidently expected, as I have reason to believe, that they would participate in the bounties which were being so liberally offered by the towns for recruits. In this, with but few exceptions, they were disappointed, and were compelled to submit to the manifest injustice of seeing the liberal bounties paid to men inexperienced in the service, while they, war-worn and veteran, having originally responded to the calls of their country without reward, and having by their gallantry won for the State an imperishable and glorious record, were obliged to return to their service unrequited. I would, therefore, recommend the passage of an act authorizing the payment of a suitable bounty to all these re-enlisted men who have not already received a bounty from the towns to which they are credited.

#### TOWN BOUNTIES.

The subject of the payment of bounties by the towns demands a careful consideration at your hands. Some sound and judicious legislation is required in order to check the evil tendencies of the present system, and to prevent the excessive extravagance and inequalities which are working so much mischief and injustice in the State. A proper regard to the public interest, in my view, requires that these bounties should be kept within the control of the State, as in this way only can a uniform system be secured. It is also a subject for you to consider whether the bounties thus far paid by the towns shall, upon some equitable basis, be assumed by the State. I allude to the subject, however, at this time, not designing to make any recommendation, but simply to direct your attention to it, leaving it to your better judgment to dispose of.

LAW AUTHORIZING THE GOVERNOR TO SUMMON THE JUDGES OF  
THE SUPREME COURT TO HIS COUNSEL WHEN NECESSARY.

There is no law at present existing by which the Executive is empowered to call upon the Supreme Court of the State for an opinion in cases affecting the interests of the State, and involving important legal questions. Such cases are not of unfrequent occurrence, and the responsibilities thus devolved upon the Executive are very great, and oftentimes extremely embarrassing. Similar provision is made by law in other states, and it is made the duties of the Judges of the Supreme Court to render opinions when called upon by the Executive, in all cases affecting the general interests of the commonwealth. Such a law, I doubt not, would be very salutary here, and especially in the present state of affairs, and the interests of the State thereby greatly promoted. I would, therefore, respectfully suggest that a law be passed making it the duty of one or more of the Judges of the Supreme Court, whenever called upon to do so by the Governor of the State, to render an opinion, in writing if necessary, upon such questions as may be submitted to them affecting the general interests of the State.

LAW PROVIDING FOR SOLDIERS VOTING.

The law passed at your last session providing for soldiers voting contained a provision that the "act shall not take effect until the Governor submit the same to the Judges of the Supreme Court, with the inquiry, Are the provisions of this act constitutional? and until the Governor has obtained in writing the opinion of said Judges thereon; and if said Judges decide that the provisions of the act, or certain parts thereof, are unconstitutional, then the same, or such parts thereof as said Judges shall decide are unconstitutional, shall be null and void, and the residue shall remain in full force and virtue."

In pursuance of this provision I submitted the act to the Judges of the Supreme Court with the inquiry specified. The Judges of the Supreme Court replied to the inquiry, giving a full and unanimous opinion in writing, deciding the act so far as it relates to the right of the soldiers to vote for members of Congress and Electors of President and Vice President of the United States, to be constitutional, but that so much of said act as confers the right to vote for Governor, Lieutenant Governor and Treasurer of this State, was unconstitutional. So much of said act therefore as relates to the right of soldiers to vote for members of Congress and Electors of President and Vice President of the United States was declared to be in full force and virtue. I therefore caused to be prepared suitable and proper blanks and

forms for making the necessary returns to the proper officers, and forwarded to the several organizations in the field from this State in season for the soldiers to vote for members of Congress at the regular election for those officers.

There are some amendments to the law which should receive your immediate attention. The law now provides that at the election for electors, to be held on the first Tuesday of November, each elector authorized to vote by this act shall have the right to vote for Electors. The election for Electors is by law to be held on the Tuesday next after the first Monday of November, instead of the first Tuesday. This error should be corrected to conform to the proper day. Section eleventh of the act provides that "the Secretary of State shall return said votes to the General Assembly, to be canvassed the same as provided in reference to votes for the same officers cast in this State." By the laws of this State the County Clerks "shall meet at the State House, in Montpeleir, on the third Tuesday of said November, and there publicly canvass said votes." The law should be so amended as to provide that the Secretary of State shall return the votes for electors to the Board of Canvassers when assembled. Provision should also be made for qualifying the electors. According to the present provisions of the act, only qualified electors are permitted to vote. As there are many now in the military service of the United States from this State, who have, since entering the service, arrived at legal age, they should be entitled to the privileges of the act, and provision should be made giving authority to special constables to administer the necessary oaths. Provision should also be made giving to volunteer officers having commissions from the United States authorities, who are citizens of this State, the right to vote at the polls of any company from this State in the brigade, division or corps to which they may be attached.

I would therefore recommend that the act be amended in these respects at an early day, that proper instructions and blanks may be forwarded to the field in season for the approaching election.

I herewith transmit the opinion of the Judges of the Supreme Court upon the question of the constitutionality of the law.

#### LAND SCRIP.

The agent appointed under the act providing for the sale of the land scrip approved November 11, 1863, has effected a sale of the same. The proceeds of said sale amount to the sum of one hundred and twenty-six thousand two hundred and forty-one dollars and forty cents, which has been duly invested in the bonds of this State at par. In October last the Hon. Homer E. Royce,



one of the agents appointed under the act, resigned the trust. I appointed Henry W. Hickok, Esq., of Burlington, to fill the vacancy.

VERMONT STATE UNIVERSITY AND ASSOCIATE COLLEGES.

The act incorporating the Vermont State University, and appropriating the income arising from the proceeds of the scrip for public lands, approved November 11, 1863, provides for the union and incorporation of the three existing corporations in this State—the President and Fellows of Middlebury College, the University of Vermont, and Norwich University—or either one of them, with the corporation created by the act aforesaid, and for the transfer and conveyance of all their property both real and personal to the State University.

It was strongly hoped that this act would have secured to the State and to the cause of education the full beneficial results of a union of all the present colleges, and the formation of one institution, uniting the strength and resources of all, and realizing the true idea of a State University, managed and controlled by no sect or denomination, but established and maintained upon a broad and liberal basis, that should secure to the State that strength of position in all her educational interests which such an institution properly conducted alone can give. Efforts have been made during the past year to secure such an union and incorporation of the several colleges, but the difficulties which necessarily attend such an enterprise before harmony of action can be secured and a proper basis determined, have thus far prevented.

The University of Vermont has, however, elected to become united and incorporated with the State University, and have elected seven persons of their number to become members of the corporation created by the act aforesaid, and have transferred by their vote all the property of the University, together with the rights to the rents and uses of the lands belonging to them, and have left for record and caused to be recorded in the office of the Secretary of State, in the book of records, a true and attested copy of the record of the proceedings of the meetings of their board, duly certified by their secretary, in compliance with the provisions of the act aforesaid. By this act of union the corporation of the Vermont State University becomes, on the first of November proximo, valid and legal, under and by virtue of said act of incorporation. To a partial extent, therefore, has been realized the plan of a State institution, into which shall be incorporated the elements contemplated by the act of Congress, namely, instruction in such branches of learning as are related to agriculture and the mechanic arts, not excluding other scientific

and classical studies, in such manner as to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life.

It is to be hoped that the union of all the colleges will yet be effected—that the sentiment of the State, which has so strongly favored such an union, and which has increased in proportion as the subject has been agitated, will yet find its realization in an institution strongly established on the broad basis of a university in its true idea, sustained and patronized by the people, and contributing by its power and influence to the great and paramount interests of education, until Vermont, now occupying a distinguished position for her devotion to the great cause of liberty, shall stand second to none in her institutions for the education of her people.

Time and a patient effort on the part of the friends of education can alone secure this end, and it is to be most earnestly hoped that this effort will not be relaxed. In order still to give opportunity for the accomplishment of an end so desirable, I would suggest the propriety of extending the time limited in the act incorporating the Vermont State University, so that, within any reasonable time in the future, either one or both the other institutions in the State may become united with this, if they shall so elect.

#### NATIONAL HALL FOR STATUARY.

By a joint resolution of the two houses of Congress at the last session, the old hall of the House of Representatives was set apart as a hall for statuary, to be filled by the statues of the worthies from each and all the states. The record which Vermont has made in the present struggle, as well as her past historic fame, renders it eminently fit and proper that she should be represented in the collection that will be gathered there, by a statue of some of her worthy heroes. Possessing in rich abundance and of a quality unsurpassed the marble for such a work, and counting among her sons some of the best sculptors of modern times, from no other state could a work be produced that would combine so much of interest, and be so eminently representative in its character, as Vermont. I commend the subject to your favorable consideration.

#### STATE AUDITOR.

The office of Auditor of Accounts became vacant in June last by the death of Hon. Jephth Bradley. I appointed Hon. Du-gald Stewart, of Middlebury, to fill the vacancy. The proper bonds were duly executed and filed, and the books and papers of that department were duly passed over to him.

## SURGEON GENERAL.

In October last I appointed Samuel W. Thayer, M. D., of Burlington, acting Surgeon General of the State. Though there exists no law recognizing such an office, I felt that the interests of the State, and the welfare of the soldiers, would be greatly promoted if there were some distinct department of that kind established, whose duty it should be to look carefully after the sanitary condition of the soldiers in the field and in the hospitals, and an officer appointed who, from his professional experience, would be able to make from time to time such suggestions, and recommend such plans, as would conduce to their comfort and welfare.

In these respects I have derived great assistance during the past year from the ready and active co-operation of the acting Surgeon General. In May last, at the opening of the summer campaign, when our soldiers suffered so severely in those memorable battles, I was enabled, through the efficient preparation which had been made by him, to forward a corps of surgeons directly to the field, where their services were greatly needed in administering to the wants and alleviating the sufferings of our wounded.

I would therefore recommend that an act be passed establishing such an office, to be filled by appointment by the Governor, and to be attached to his staff, with the rank of brigadier general, and that provision be made for a reasonable per diem compensation for actual services, and for the payment of his expenses.

## ARMS FOR THE STATE.

In compliance with the joint resolution of the two Houses, adopted at the last session, that the Governor be requested to solicit from the General Government five thousand stand of arms, to be deposited and kept in the arsenal of the United States within this State, subject to the order of the Governor, in case of invasions, insurrection or domestic violence, I made application to the Secretary of War, and obtained from him five thousand Springfield rifled muskets, with the necessary accoutrements and ordnance stores, which are now deposited in the United States arsenal at Vergennes.

## ENLISTMENTS IN REBEL STATES.

By the provisions of the act of Congress approved July 4, 1864, the Executive of each State was authorized to send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee and Louisiana, to recruit volunteers under any call, under the provisions of said act.

In conformity with the provisions of said law, I issued the

necessary orders, and appointed recruiting officers for the several stations authorized by the orders of the War Department. Authority was given to such towns as desired to avail themselves of the benefits of the act, to deposit with the Treasurer of the State, to the credit of the Adjutant and Inspector General, the sum of three hundred dollars for each recruit desired by such town, not, however exceeding forty per cent. of the whole number needed to be raised to fill the quota of such town under the then existing call of the President; the amount so deposited to be used for the payment of such bounties, and such necessary expenses incident thereto, as might be required to raise the men; the recruits so obtained to be mustered into the United States service to the general credit of the State of Vermont, and to be afterwards assigned to the credits of the several towns making such deposits, in proportion to the number of recruits for which each town should have made such deposit. Such sum of money as should remain in the Treasury, to be refunded to the several towns after final adjustment.

Twelve recruiting agents were appointed under this order, and were stationed as follows: Two at Nashville, Tenn., for the district of Georgia and Alabama; two at Hilton Head, for the district of South Carolina and Florida; two at Alexandria, for the district of North Eastern Virginia; three at Fortress Monroe, for the district of South Eastern Virginia; three at Newbern, for the district of North Carolina. The number of towns which deposited money for obtaining recruits was one hundred and forty. The whole number of recruits obtained from this source was one hundred and twenty-four, who have been properly distributed among the towns entitled to them. The details of the distribution, the expenses attending enlistments, and the amount of bounties paid, will more fully appear in the report of the Adjutant and Inspector General.

#### ENLISTMENTS FOR SERVICE WITHOUT THIS STATE.

I would respectfully call your attention to the present statute in reference to enlisting persons in this State for military service without this State. Great difficulties have been experienced heretofore, and especially during the past year, from persons procuring enlistments of recruits in this State to serve in other States, and the present law is wholly inadequate to prevent the evil. The difficulties in the way of finding the necessary evidence to convict, and the small fine imposed, render it an easy matter for the offender to repeat the offense almost with impunity; and in some instances, where a conviction has been had, the fine, though imposed to the full extent of the law, has been promptly

paid, and the offense repeated almost in the face of the court who imposed it. At the high rates which have been paid abroad, as well as here in our own State, for recruits, it is an easy matter to pay the fine imposed, and still leave to the party obtaining the recruit a large margin for profit, while the victims to this abuse have been led away from their duties to their own State, to find too late that they have been most shamefully deceived and imposed upon.

In addition to this, the practice which has obtained to so large an extent here in the State of trafficking in substitutes and recruits, has operated very prejudicially to the service, and with all the efforts of the State authorities, seconded by the officers of the United States within the State, it has been found almost impossible to reach the difficulty and prevent the traffic.

I would invite your serious attention to the subject, and recommend such amendments of the present law, providing the most stringent and summary remedies, as will not only effectually prohibit the attempt to enlist men for other States, but also put an end to the system of "substitute brokerage" at home.

#### INSPECTOR OF FINANCE.

Under the law requiring the Governor annually to appoint an Inspector of Finance, to assist the Auditor of Accounts in his annual examination of the Treasurer's department, and to examine the books and papers in the Auditor's department, I appointed Evelyn Pierpoint, Esq., of Rutland, who duly accepted the appointment, and entered upon the duties of the office.

#### THE SOLDIERS.

Fresh in the memory of us all are the deeds of noble valor and undaunted heroism achieved by the gallant sons of Vermont during the past year. History furnishes no brighter record than theirs. In every conflict, on every battle-field, ever and always the invincible heroes of the Green Mountain State. Their thinned and wasted ranks speak in language stronger than words, of their daring bravery, their undying devotion, and their fervent patriotism; and, in after years, when the glittering pomp and circumstance of war shall have become mellowed into sober history, the memory of their high achievements will still remain fresh as now in the hearts of all true patriots, and their names will be treasured as household words, and be rehearsed to generations yet to come, to kindle anew in their hearts the sentiment of loyalty and patriotism.

To those still engaged in the deadly strife would we this day speak in words of encouragement and praise. To them does the Nation look with confidence and hope for its deliverance from the

foe that seeks to destroy it. To them are turned the waiting eyes of millions of bondsmen, with trustful faith for deliverance from the power of the oppressor.

For the fallen ! In our hearts do we mourn for them, and yet not altogether in sadness. Theirs was a glorious death. They died as the patriot loves to die, martyrs in the glorious cause of their country ; and though their forms lie whitening on a stranger soil, yet they live still in the hearts of their countrymen, crowned with an imperishable fame—

“ These shall resist the empire of decay,  
When time is o’er, and worlds have passed away ;  
Cold in the dust the perished heart may lie,  
But that which warmed it once can never die.”

#### THE STATE AND COUNTRY.

Once more has Vermont uttered, in language not to be mistaken, her devotion to the great and cardinal principles of “ Freedom and Unity.” In the great struggle in which the nation is now convulsed, she has pursued no doubtful or hesitating course, but has steadily devoted herself with all the strength of her resource, to the great and paramount idea of sustaining its integrity. Freely has she offered her sons, and with unsparing hand has she given of her substance, and now in the great crisis, when the returning season for the election of a Chief Magistrate to preside over the councils of the nation enters to disturb the already distracted state of the country, when upon the issues of this contest hang the last hopes of rebels in arms, and their sympathizers at home, she proudly leads the van, and sounds the keynote in the great and glorious anthem of the Union.

The signal victories of our armies have inspired the country with new and increasing confidence, and the ever narrowing circle of the conflict assures us beyond a doubt that the end is drawing near, and that the power of the rebellion is fast being broken. This day our hearts are doubly cheered by tidings of renewed expressions of loyalty, as state after state declares its unalterable determination to vindicate the power of Government, to accept no terms of dishonorable peace, but to fight on till the last vestige of treason shall be removed, and all the states shall return to their rightful allegiance.

Gentlemen of the Senate and House of Representatives, to you are now committed the sacred trusts of the constitution. In the hope that your labors will be characterized by that spirit of harmony and sound deliberation so essential to wise and prudent legislation, I commend you to the guidance and direction of Him who rules the destinies of nations, imploring you to seek His

counsel at all times, and to so legislate that the Commonwealth may be advanced in all her material interests, and that as one of the great sisterhood of states, Vermont may still maintain her high position, and be made to contribute for the future, as she has in time past, to the extent of her resources, to the maintenance of the Government under which we have so long lived and prospered.

J. GREGORY SMITH.

EXECUTIVE CHAMBER, }  
Montpelier, Oct. 13, 1864. }

On the motion of Mr. Dana, the Message was

*Ordered* to lie, and one thousand copies printed for the use of the Senate.

The President announced the appointment of the following joint standing committees :

*On Joint Rules :*

Mr. Henry,  
" Pennoçk.

*On Library :*

Mr. Reed,  
" Hutchinson.

*Under Fourth Joint Rule:*

Mr. Richmond,  
" Meacham,  
" Clement.

*On Bills :*

Mr. Tabor,  
" Williams.

On motion of Mr. Henry, the Senate adjourned.

SATURDAY, OCTOBER 15, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Chapman introduced a bill entitled

S. 1. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed introduced a bill entitled

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and the relief of the insane poor";

Which was read the first and second time, and referred to the Committee on Printing.

The President made the following reference of the Governor's message:

So much as relates to the finances of the State, State aid to soldiers' families, bounties to re-enlisted soldiers, town bounties, and land scrip; to the Committee on Finance.

So much as relates to the State militia and militia law, the recruits of 1862, enlistment of men for service without the State, hospitals and the appointment of a Surgeon General; to the Committee on Military Affairs.

So much as relates to the Soldiers' National Cemetery at Gettysburgh; to the Committee on Claims.

So much as relates to the Judges of the Supreme Court; to the Committee on the Judiciary.

So much as relates to soldiers voting; to the Committee on Elections.

So much as relates to the Vermont University and Associate Colleges, and the National Hall for statuary; to the Committee on Education.

Mr. Wood introduced a bill entitled

S. 3. An act in amendment of section nineteen of chapter three of the General Statutes, entitled "Of process and other matters";

Which was read the first and second time, and referred to the Committee on Printing.



Mr. Hutchinson introduced a bill entitled

S. 4. An act relating to the bounty and pay of soldiers, and the support of their families;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted on their part a joint resolution, providing for a committee to canvass the votes for members of Congress ;

In the adoption of which the concurrence of the Senate is requested.

The House have considered the Senate proposal of amendment to the joint resolution providing for a Joint Assembly for the election of State officers, and to the joint resolution providing for a Joint Assembly to elect Judges of the Supreme Court and Reporter of decisions thereof, and have concurred therein.

A joint resolution from the House

*Resolved by the Senate and House of Representatives,* That a joint committee consisting of one senator and three representatives from each congressional district be appointed, upon the nomination of the President of the Senate and Speaker of the House of Representatives respectively, to canvass the votes given in the several congressional districts, and declare those persons having a majority of all the votes in said district respectively, to be elected representatives to represent this State in the Congress of the United States ;

Was read and adopted in concurrence.

The President announced as the Committee on the part of the Senate :

First District,

Mr. Clark of Rutland.

Second District,

" Henry of Windsor.

Third District,

" Smith of Franklin.

Mr. Wood introduced the following resolution, which was read and adopted :

*Resolved,* That a committee of one senator from each county be appointed, whose duty it shall be to ascertain the amount of bounty money that has been voted by each town to volunteers and drafted men to serve in the army of the United States ; the number of volunteers and drafted men, and term of service of each to whom such bounty has been paid, or voted to be paid ; the amount that each town has actually paid, and is still liable to pay, to each volunteer and drafted man who has entered the military service of the United States ; and also to ascertain the num-

ber of re-enlisted men from each town, and the amount of bounties that each town has paid, and is liable to pay, to such re-enlisted men, and report the same to the Senate as soon as possible.

Mr. Reed, for the Committee on Printing to whom was referred Senate bills

S. 1. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the support of the insane poor";

S. 3. An act in amendment of section nineteen of chapter thirty-three of the General Statutes, entitled "Of process and other matters";

S. 4. An act relating to the bounty and pay of soldiers and the support of their families;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills; and thereupon they were

*Ordered* to lie and be printed.

Mr. Flagg introduced a bill entitled

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered the joint resolution, from the Senate, returning thanks to the officers and men in the Vermont regiments; And have adopted the same in concurrence.

On the motion of Mr. Hollister, the Senate adjourned.

#### AFTERNOON.

Mr. Reed introduced a bill entitled

S. 6. An act in relation to cases before referees;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed, for the Committee on Printing to whom was referred

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes;

Reported the same, and recommended the printing of three hundred and fifty copies; thereupon said bill was

*Ordered* to lie and be printed.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill of the following title:

H. 11. An act in amendment of "An act providing for soldiers voting";

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 11. An act in amendment of "An act providing for soldiers voting";

Was read the first and second time, and referred to the Committee on Elections.

On the motion of Mr. Fish, the Senate adjourned.

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MONDAY, OCTOBER 17, 1864.

Prayer by the Chaplain.

Journal of Saturday was read and approved.

Mr. Wood introduced a bill entitled

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled "Of offences against public policy";

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Kellam, for the Committee on Elections to whom was referred House bill entitled

H. 11. An act in amendment of "An act providing for soldiers voting";

Reported the same, recommending its passage.

Mr. Williams moved to propose to the House to strike out all after the enacting clause, and insert the following :

SEC. 1. All qualified electors of this State who shall be in the actual military service of the United States, either within this State, or without the same, on days appointed for elections by the constitution and laws of the State of Vermont, or the laws of Congress, in any year, shall be entitled to exercise the right of suffrage at the several posts, camps or places where the regiment, or battery of artillery, or part of a regiment, not less than one company or part of one company under a separate command, to which such electors belong, may be on that day, as fully as if such electors were present at the places in this State where such elections may be held and where such persons would be entitled to vote—any provisions of law now in force to the contrary notwithstanding. *Provided*, that this section shall not extend to and include any person in the regular or standing army of the United States, nor any person in any regiment, battery or company organized and officered out of this State.

SEC. 2. To carry into effect the provisions of the preceding section, elections may be held at the several posts, camps or places in said section mentioned, which elections shall be conducted, so far as practicable and not inconsistent with the provisions of this act, in the manner prescribed by the general election laws of this State.

SEC. 3. At the elections to be held on the first Tuesday of September, each elector authorized to vote by this act shall have the right to vote for members of Congress. At the elections to be held on the first Tuesday after the first Monday in November, each elector authorized to vote by this act shall have the right to vote for electors of President and Vice President of the United States.

SEC. 4. The vote shall be taken by companies. The ranking officer in each company of infantry, or cavalry, or battery of artillery, shall act as special constable to preside at the elections held under the provisions of this act. In case of the absence, or inability, or refusal to act, of any of the officers hereinbefore named, their duties as such constables shall be performed by the officer next in rank. The officer highest in rank, so acting in such company, shall be the chairman of the board of constables. The board of constables of each company shall make a separate canvass and statement of the result in writing of the votes cast by such company as hereinafter provided. The regimental and staff officers of each regiment shall be entitled to vote at the polls opened

at any company of the regiment to which they belong. Volunteer officers, having commissions from the United States authority, who are citizens of this State, shall have the right to vote at the polls of any company from this State in the brigade, division or corps to which they may be attached.

SEC. 5. The officer who shall act as constable under this act, shall appoint two electors to act as clerks of election, and the chairman of the board of constables of each company shall be authorized to administer the necessary oath or affirmation to any soldier or soldiers in this company who may have arrived at legal age, upon such soldiers producing to said board of constables satisfactory evidence of their being entitled to receive the same.

SEC. 6. Previous to receiving any vote, such constable and clerk shall severally take an oath or affirmation that they will support the constitution of the United States and of the State of Vermont, and will perform their duties as constables or clerks according to law, and will studiously endeavor to prevent all fraud, deceit or abuse in conducting the same. This oath or affirmation shall be either printed or in writing, or partly printed and partly written, shall be subscribed by the person taking the same, and may be administered by either of said constables, and shall be annexed to and returned with the poll-books as hereinafter provided.

SEC. 7. The polls of elections shall be opened and closed at such hours as the constables or a majority of them shall determine. *Provided*, that time shall be given for all voters in the company or battery to vote, and that notice of the time for closing the polls shall be given at least one hour before the closing of the same.

SEC. 8. The ballots used at the election held under this act shall have written or printed at the top of the ballot the name of the county in which the person offering to vote is a voter, and the constable shall refuse to receive any ballot which does not thus show the name of the county. Each ballot, in addition to the name of the county, shall have written or printed upon it the name of the person voted for, and also designate the office which he or they may be intended to fill. The ballot thus prepared shall be on one piece, and all the ballots shall be deposited in one box, and it is the duty of the constable to be satisfied that the person offering to vote is a legal voter of the county which is shown at the top of the ballot.

SEC. 9. It shall be the duty of each of such constables, and the privilege of each elector, to challenge any person offering to vote, when he shall know, or have reason to suspect or believe, that

such person is not a qualified elector, and to any person challenged by any constable or qualified elector, the chairman of such board of constables shall administer an oath or affirmation that he will true and full answer make to all questions touching his residence and qualifications as an elector at the election, and the same questions in substance shall be put and the same proceedings had as may be required at general elections in this State, and the case of such person so challenged shall be decided by a majority of the constables.

SEC. 10. The clerk shall keep correct poll-lists containing the names of the voters and their respective places of residence in this State, giving the name of the town or city, and county, in which they severally have a residence, which lists shall be certified by the constables, or a majority of them, and clerks, to be correct.

SEC. 11. After the polls are cleared the constables shall canvass the votes cast, and shall make a statement of the results in writing, which canvass and statement shall be made by counties as far as practicable. A copy of such statement, duly certified to be correct by the constables, or a majority of them, shall be transmitted to the Governor of this State, together with one of the poll-lists, and a like copy with the other poll-list shall be transmitted to the Secretary of State. The said constables shall also cause all ballots to be sealed up and transmitted to the Secretary of State with the statement and poll-lists, and the Secretary shall return said votes if for member of Congress to the General Assembly, and if for electors of President and Vice President the Secretary of State shall return said votes to the board of canvassers appointed to canvass the votes for President and Vice President of the United States, to be canvassed the same as provided for in reference to votes for the same officers in this State.

SEC. 12. The Governor of this State is hereby authorized and empowered to appoint three special constables to each of the several military hospitals in this State, and such other military hospitals out of the State as in his judgment he may deem necessary, who shall have the same power and perform the same duties at the several hospitals to which they may be appointed as the several special constables authorized and empowered by this act at the several posts, camps or other places where such special constables are appointed to carry out the provisions of this act, and the inmates of said hospitals, who are qualified electors in this State, shall be entitled to exercise the right of suffrage the same as is conferred on electors at the several posts, camps or other places mentioned in this act.

SEC. 13. The act entitled "An act providing for soldiers voting," approved November 11, 1863, is hereby repealed.

SEC. 14. This act shall take effect from its passage.

Which was not agreed to.

On the motion of Mr. Williams, the bill was

*Ordered to lie.*

The President announced the following named senators to constitute the committee to ascertain what bounties have been paid to volunteers by the several towns :

Mr. Wood,	Mr. Kellam,
" Cushman,	" Pennock,
" Hollister,	" Clement,
" Abbott,	" Fish,
" Crane,	" Reed,
" Tabor,	" Chapman,
" Allen,	" Barrett.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution tendering thanks to the Governor and delegation in Congress ;

In the adoption of which the concurrence of the Senate is requested.

The following joint resolution, from the House, was read, and unanimously adopted in concurrence :

*Resolved by the Senate and House of Representatives,*  
That the thanks of the citizens of Vermont are due to Hon. J. Gregory Smith, and our delegation in Congress, for their prompt and personal attention to our sick and wounded soldiers, by administering to their wants and procuring their transfer to their native State.

On motion of Mr. Barrett, the Senate adjourned.

## AFTERNOON.

Mr. Chapman, for the Committee on Rules, made the following report :

*To the Honorable Senate now in session :•*

The Committee on Rules report that they have had the subject under consideration, and recommend the adoption of the following :

## RULES OF THE SENATE.

## 1.

The credentials of the senators shall be presented to the Secretary or Assistant Secretary previous to ten o'clock on the morning of the second Thursday of October, at which time the Senate shall be called to order. The names of the senators shall be called over, and when a quorum shall have taken their seats, they shall take the following oath, viz :—"I———, a senator for the county of———, in the State of Vermont, October Session, 18——, do solemnly swear that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the constitution or government thereof, as established by convention. So help me God. And I also solemnly swear that as a member of this Senate I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the constitution of this State; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and abilities. So help me God." Whereupon they shall, on nomination of the President, appoint a canvassing committee, consisting of one senator from each county, to join such committee as the House of Representatives may appoint, whose duty shall be to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer, and make report thereof to the Joint Assembly of both Houses.

## 2.

The Senate shall meet every day (Sundays excepted,) at ten o'clock in the morning, and two o'clock in the afternoon, unless otherwise specially ordered.

## 3.

The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all the errors therein corrected.

## 4.

In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, those present shall have the power to send the Sergeant-at-Arms, or other officer, after the absentees and compel their attendance.

## 5.

Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President



shall be absent, it shall be the duty of the Secretary, if present, if not, of a senator, to call to order; and the senators present, if a quorum, shall by ballot, elect a President *pro tempore*.

6.

No senator shall be absent without leave, unless he is sick or otherwise necessarily detained.

7.

No senator shall audibly speak to another, or otherwise interrupt the business of the Senate, while the journal or other public papers are being read, or while a senator is orderly speaking in debate.

8.

Every senator, when he speaks, shall, standing in his place, address the President, and when he has finished, shall sit down.

9.

No member shall speak more than twice on the same question without leave of the Senate; and senators who have once spoken shall not again be entitled to the floor, (except for the purpose of explanation,) to the exclusion of another who has not spoken.

10.

In all cases, the senator first-rising and addressing the President, (subject to the restriction of rule 9,) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11.

When a senator shall be called to order he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

12.

If a senator be called to order for words spoken, the exceptionable words shall be immediately taken down in writing by the senator calling to order, that the President may be better enabled to judge of the matter.

13.

The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions and the introduction of bills; after which, the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in receiving and disposing of reports of committees, and in completing the business of the morning hour; at the expiration of which, the Senate will again take up the orders of the day.

## 14.

Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the Senate, when the call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations in answer to the call of any senator.

## 15.

The proceedings of the Senate, except when acting as in committee of the whole, embracing the titles of bills and such parts thereof as may be affected by proposed amendments, and also the names of senators and the votes which they give on every question decided by yeas and nays, shall be by the Secretary accurately and concisely inserted in the journal.

## 16.

The Senate shall annually, within the first four days of actual sitting, elect by ballot a secretary and an assistant secretary, who shall be severally sworn to the faithful discharge of their duties, and shall hold their offices until superseded by a new election. The assistant secretary shall be, *ex-officio*, engrossing clerk.

## 17.

At each annual session the Senate shall appoint the following committees, to consist of three members each, to wit:

- A Committee on Rules.
- A Committee on Finance.
- A Committee on the Judiciary.
- A Committee on Claims.
- A Committee on Education.
- A Committee on Agriculture.
- A Committee on Manufactures.
- A Committee on Elections.
- A Committee on Military Affairs.
- A Committee on Roads.
- A Committee on Banks.
- A Committee on Land Taxes.
- A Committee on Printing.
- A General Committee.

All select committees shall be appointed by the President, unless otherwise ordered by the Senate.

## 18.

All bills after the second reading, and all petitions, memorials, remonstrances, resolutions, and other papers, calling for legisla-

tive action, (except such as have been reported by a committee,) no objection being made, shall be referred by the President to appropriate committees.

19.

Before any resolution, any petition, or other paper, addressed to the Senate, shall be received and read, whether the same shall be introduced by the President or a senator, the title shall be fairly endorsed thereon, and a brief statement of its objects or contents shall be made by the introducer.

20.

Every motion shall be reduced to writing by the mover, if required thereto by the President or a senator; and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

21.

Every bill shall receive three readings before it is passed; the President shall give notice at each reading whether it be the first, second, or third; the last of which reading of public bills shall be at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise: Provided that bills may be read the second time by their title. Resolutions requiring the approbation and signature of the Governor shall be treated in all respects as bills; and the third reading of all bills of a public nature shall be ordered for some particular day.

22.

On motion of a senator, public bills, after the second reading, may be referred to a committee of the whole.

23.

Every bill originating in the Senate shall, before it is read the third time, be fairly engrossed. No amendment shall be received at the third reading, but it may be committed for amendment at any time before its final passage.

24.

Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay upon the table. 3. To commit. 4. To amend.

25.

A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order, and shall be decided without debate.

26.

If the question in debate contains several points, the same may be divided on the demand of a senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to

strike out and insert one proposition shall not preclude a motion to strike out and insert a different one; or a motion simply to strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

27.

In filling blanks the largest sum and the longest time shall be first in order.

23.

When the reading of a paper is called for, and the same is objected to by a senator, the question shall be determined by a vote of the Senate.

29.

The yeas and nays shall be taken on the call of a senator, and every senator present shall vote unless excused by the Senate; but no senator shall be compelled to vote who was absent when the question was stated by the President, nor shall any one be permitted to vote who was absent when his name was called, nor after the decision of the question has been announced from the chair.

30.

No senator in the minority, nor one who did not vote on the decision of a question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order unless made before the close of the next day of actual sitting of the Senate, after that in which the vote was taken, and before the bill, resolution, report, amendment, address or motion, upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31.

On all questions, in the decision of which a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases, a motion for reconsideration, if made in time, shall be in order from any senator who voted on the question.

32.

The President shall have the right to call upon any senator to discharge the duties of the Chair, whenever he shall find it necessary temporarily to retire; but such substitution shall not extend beyond more than one adjournment.

33.

The Senate having taken the final vote on any question, the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34.

No proposition to amend the rules of the Senate, or the joint rules of both Houses, shall be acted on until the same shall have been before the Senate at least twenty-four hours ; and no rule of the Senate shall be suspended except by the vote of three-fourths of the members present.

35.

Messages shall be sent to the House of Representatives by the Secretary or Assistant Secretary.

36.

Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

37.

No person shall be admitted within the lobby of the Senate Chamber, except the Governor, Treasurer of the State, Auditor of Accounts, members of the other House, Judges of the Supreme Court, Circuit Judges, senators and representatives in Congress, Ex-Governors and Lieut. Governors, ex-judges of the Supreme Court, ex-senators of the State Senate, District Judge and Attorney of the United States, members of other State Legislatures, Clerk and Assistant Clerk of the House of Representatives, and the Secretary of Civil and Military Affairs, and such ladies and gentlemen as the President or a senator may introduce.

38.

When in session the senators shall sit with their heads uncovered.

39.

Upon any disorderly conduct in the gallery, the President may order the same to be cleared.

40.

Whenever a bill or resolution is laid on the table, by order of the Senate, and shall have remained on the table twenty-four hours. it shall be subject to be taken up by the Chair, and presented for the consideration of the Senate, without a call or order on the subject.

41.

There shall be one door-keeper and one assistant door-keeper of the Senate ; and the Secretary may appoint two boys to attend in the Senate Chamber.

42.

#### CHOICE OF SEATS.

At nine o'clock on the morning of the first day of the session, and before the Senate shall be called to order, the Secretary

shall place in a box, prepared for the purpose, fourteen ballot designating by name the several counties in the State, and shall proceed to draw therefrom, impartially, one ballot at a time until all are drawn. And as each ballot is drawn, the senator or senators, from the county designated by such ballot, shall personally, if present, or may, by proxy, if absent, select his, or their seat or seats. If any senator or senators, from any county so drawn, should not be present, either personally or by proxy, at the time of such drawing, the county next drawn shall have preference.

Respectfully submitted,

CLARK H. CHAPMAN,

For Committee.

Thereupon they were adopted as the Rules of the Senate.

Mr. Reed introduced the following joint resolution, which was read and adopted :

*Resolved by the Senate and House of Representatives,*  
That the Vermont Historical Society be granted the use of the Hall of the House of Representatives for the delivery of the annual address before the Society, on the evening of Tuesday, October 18th.

House bill entitled

H. 11. An act in amendment of "An act providing for soldiers voting";

Was taken up, being the special order at this time. The question being, Shall the bill pass? it was decided in the affirmative, and passed in concurrence.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution granting the use of the Representatives Hall, Tuesday evening, October 25th, for a public meeting to be held in honor of the services of the soldiers;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution, from the House,

*Resolved by the Senate and House of Representatives,*  
That the use of the Representatives Hall on Tuesday evening, October 25th, be granted for a public meeting to be held in honor of the services of the soldiers of Vermont;

Which was read, and on the motion of Mr. Wood

*Ordered to lie.*

On motion of Mr. Richmond, the Senate adjourned.

TUESDAY, OCTOBER 18, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Flagg introduced a bill entitled

S. 8. An act to amend section fourteen of chapter sixty-nine of the General Statutes, entitled "Of marriage";

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed, for the Committee on Printing to whom was referred

S. 8. An act to amend section fourteen of chapter sixty-nine of the General Statutes, entitled "Of marriage";

Reported the same, and recommended the printing of three hundred and fifty copies; thereupon said bill was

*Ordered to lie and be printed.*

Mr. Reed, for the Committee on Printing to whom was referred

S. 6. An act entitled "An act in relation to costs before referees";

Reported adversely to the passage of said bill; and thereupon it was referred to the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part joint standing committees, as follows:

*Under the Fourth Joint Rule.*

Mr. Hopkins of Vergennes,

" Winchester of Corinth,

" Wing of Pittsfield.

*On Bills.*

Mr. Pratt of Woodstock,

" Goddard of Reading.

*On the Library.*

Mr. Cushing of Barton,

" Kimball of Putney,

" Winslow of Chittenden.

The House have considered a joint resolution, granting the use of the Hall of the House of Representatives to the Vermont Historical Society;

And have adopted the same in concurrence.

On the motion of Mr. Rublee, the Senate adjourned.

### AFTERNOON.

Senate bill entitled

S. 1. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

Having been printed, was taken up and referred to the Committee on Finance.

Senate bill entitled

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and the relief of the insane poor";

Having been printed, was taken up and referred to the Committee on the Judiciary.

Senate bill entitled

S. 3. An act in amendment of section nineteen of chapter thirty-three of the General Statutes, entitled "Of process and other matters";

Having been printed, was taken up and referred to the Committee on the Judiciary.

Senate bill entitled

S. 4. An act relating to the bounty and pay of soldiers and the support of their families;

Having been printed, was taken up and referred to the Committee on Military Affairs.

Mr. Chapman introduced a bill entitled

S. 9. An act providing for the recording of marriages contracted by residents of this State solemnized out of this State;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Englesby called up House joint resolution granting the use of Representatives Hall, Tuesday evening, October 25th, which was as follows:

*Resolved by the Senate and House of Representatives, That the use of the Representatives Hall on Tuesday evening, Octo-*



ber 25th, be granted for a public meeting to be held in honor of the services of the soldiers of Vermont;

Which was read, and adopted in concurrence.

Mr. Flagg introduced the following resolution :

*Resolved*, That the Committee on Finance be instructed to inquire as to the expediency and propriety of additional legislation on the matter of taxing individuals on account of deposits in savings banks, and report by bill or otherwise;

Which was read and adopted.

Mr. Wood introduced a joint resolution, as follows :

*Resolved by the Senate and House of Representatives*, That the two Houses meet in Joint Assembly, on Wednesday, October 26th, at 11 o'clock, in the forenoon, to hear the report of the committee appointed to canvass the votes for county and probate officers, and if necessary to complete the election of such officers;

Which was read and adopted.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution, relating to the printing of the Parliamentary Manual;

In the adoption of which the concurrence of the Senate is requested.

The House have appointed as a committee on their part to canvass the votes for county officers, judges of probate and justices of the peace :

Addison County . . . . .	Mr. Wright of Whiting,
	" Carson of Goshen,
	" Deane of Monkton.
Bennington County . . .	" Allen of Dorset,
	" Woodward of Landgrove,
	" Eddy of Woodford.
Caledonia County . . . .	" Humphrey of Burke,
	" Ward of Wheelock,
	" Burbank of Walden.
Chittenden County . . .	" Hall of Bolton,
	" Brewster of Huntington,
	" Isham of St. George.
Essex County . . . . .	" Fuller of Bloomfield,
	" Walter of East Haven,
	" Howe of Concord.
Franklin County . . . . .	" Ellsworth of Berkshire,
	" Hale of Georgia,
	" Robinson of Highgate.

Grand Isle County . . .	Mr. Wheeler of South Hero,
	" Pike of Isle La Mott,
	" Kinsley of Alburgh.
Lamoille County . . . . .	" Wires of Cambridge,
	" Boynton of Stowe,
	" Shattuck of Waterville.
Orange County . . . . .	" Chase of Vershire,
	" Camp of Orange,
	" Kibbey of Fairlee.
Orleans County . . . . .	" Merrill of Craftsbury,
	" Bartlett of Morgan,
	" Lathe of Salem.
Rutland County . . . . .	" Ketcham of Sudbury,
	" Fisk of Danby,
	" Spofford of Sherburne.
Washington County . . .	" Pope of Roxbury,
	" Macomber of Worcester,
	" Benjamin of Berlin.
Windham County . . . . .	" Adams of Marlboro,
	" Stebbins of Brookline,
	" Dexter of Wardsboro.
Windsor County . . . . .	" Stickney of Andover,
	" Gould of Weston,
	" Rogers of Stockbridge.

The House have appointed on their part the following gentlemen as a committee to canvass the votes for members of Congress, as follows :

*First District.*

Mr. Ball of Ferrisburgh,  
 " Holmes of Hubbardton,  
 " Bulkley of Moretown.

*Second District.*

Mr. Goddard of Reading,  
 " Harris of Windham,  
 " Aiken of Hardwick.

*Third District.*

Mr. Buck of Westfield,  
 " Hutchinson of Enosburgh,  
 " Baldwin of Hinesburgh.

Mr. Henry, for the Committee on Joint Rules, made the following report :

SENATE CHAMBER, October 18, 1864.

*To the Honorable Senate now in session :*

The Joint Committee on Rules respectfully report the following joint rules for the Senate and House of Representatives.

H. H. HENRY, for the Committee.

Which report was accepted, and the rules therein reported by the committee were adopted on the part of the Senate, and are as follows :

1.

A Joint Assembly shall be formed by a union of the Senate and House of Representatives in the Hall of the latter, at such time and for such specific purpose only, as may be expressed in a concurrent resolution of both Houses ; and may adjourn from time to time during the session of the General Assembly. The President of the Senate shall in all cases preside over, and the Secretary of State, or in his absence, the Secretary of the Senate, shall officiate as Clerk of every Joint Assembly.

2.

The proceedings of every Joint Assembly, including the resolution ordering the same, shall be recorded by the Clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be furnished to the Governor by the Secretary of State, and shall also be published with the Journal of the proceedings of the House of Representatives.

3.

The rules of the Senate, as far as applicable, shall be observed in regulating the proceedings of every Joint Assembly..

4.

A joint committee of three senators and three representatives shall be appointed by the presiding officers of the two Houses respectively, to whom may be referred all documents transmitted by the Governor for the use of the General Assembly, who shall report thereon to that House from which they were received.

5.

The committees of the Senate and House of Representatives, to whom the same subject matter shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both Houses, as they may think expedient.

6.

In every case of disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee on its part, such committee shall meet at a convenient hour, to be agreed upon by their chairman, in the conference room, and state to each other, verbally or in writing, the reasons of each House for its vote on the subject matter of disagreement, confer freely thereon, and make a report of their doings to their respective Houses as soon as may be.

7.

Committees of conference shall consist of an equal number from each House, and shall return the papers referred to them to that House which last voted upon the subject matter of disagreement.

8.

After each House shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

9.

When bills and resolutions are on their passage between the two Houses, they shall be verified by the attestation of the Secretary or Clerk of each House respectively, and all joint resolutions shall be fairly engrossed, after their passage, in the House in which they originate, and shall, when finally passed, be signed by the presiding officer of both Houses in the same manner as bills.

10.

After bills have passed both Houses, and a certificate showing the one in which they respectively originated has been duly endorsed thereon, they shall be delivered to a joint standing committee of two senators and two members of the House of Representatives, to be appointed by the presiding officers of the two Houses respectively, and to be designated the *Committee on Bills*, who shall make careful examination, and see that they are correctly engrossed, and when satisfied of their accuracy, shall present them, first to the Speaker of the House of Representatives, and then to the President of the Senate, for their official signatures, and having obtained them, they shall forthwith deliver them to the Governor for his approval, and shall make a true report to both Houses of the day on which such bill was delivered to the Governor, which shall be duly entered upon the Journal of each House.

11.

A joint committee of two senators and two representatives shall be appointed by the presiding officers of the two Houses

respectively, at the commencement of the session, to be designated the *Committee on Joint Rules*.

12. *l*

When a bill or resolution, which shall have passed one House, is rejected in the other, notice thereof shall be given to the House in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to, and left in, the custody of the House which first acted on them.

13.

Each House shall transmit to the other all papers on which any bill or resolution shall be founded; and should any bill or resolution pass both Houses, the same papers shall be delivered to the Governor.

14.

No bill, which shall have passed one House, shall be sent for concurrence to the other, on the last day of session.

15.

The final adjournment of the General Assembly shall be fixed at an hour between two and nine o'clock in the afternoon.

16.

A two-thirds vote of all present shall be required for the suspension of any joint rule.

17.

A Joint Committee on the Library, consisting of two senators and three representatives, shall, on nomination of the presiding officers of their respective Houses, be appointed by each House respectively.

Mr. Englesby introduced a bill entitled

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes;

Which was read the first and second time, and referred to the Committee on Printing.

House joint resolution was taken up, which was as follows:

*Resolved by the Senate and House of Representatives,* That the Clerk of the House be directed to procure seven hundred copies of the Legislative Directory printed with the Parliamentary Manual and Constitution of this State and of the United States, bound in cloth, similar to the Manual of the General Court of Massachusetts; and, after supplying each member and officer of the General Assembly with one copy thereof, to deliver the remaining copies to the State Librarian for sale, at such price as will meet the expense of their procuration;

Which was read, and adopted in concurrence.

Mr. Pennock introduced a bill entitled

S. 11. An act in amendment of an act to incorporate the Mount Mansfield Hotel Company, approved November 6, 1868 ;

Which was read the first and second time, and referred to the General Committee.

Mr. Englesby, for the committee to whom was referred

S. 6. An act entitled "An act in relation to costs before referees " ;

Reported that they have had the same under consideration, and recommend its passage ; whereupon the said bill was .

Ordered to be engrossed, and read the third time to-morrow morning.

The hour having arrived for a Joint Assembly, the Senate repaired to the House of Representatives.

Having returned therefrom, on the motion of Mr. Chapman, the Senate adjourned.

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WEDNESDAY, OCTOBER 19, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Englesby, President, *pro tempore*, in the chair.

Mr. Williams, for the Committee on Bills, reported that House bill entitled

H. 11. An act in amendment of "An act providing for soldiers voting " ;

Had been presented to the Governor.

The President read a communication from the Hon. George Thompson, M. P., which was as follows :

WEST RANDOLPH, October 18.

To Hon. Paul Dillingham, President of the Senate, and  
Hon. A. B. Gardner, Speaker of the House of Representatives :

GENTLEMEN : I have had the honor to receive from you the the joint resolution, adopted by the two Houses of the Vermont

Legislature, inviting me to deliver an address in the Hall of the House of Representatives. The invitation is gratefully accepted, and I propose to deliver the address on Thursday evening, the 20th instant.

Very respectfully,

GEORGE THOMPSON.

Engrossed bill entitled

S. 6. An act in relation to costs before referees :

Was read the third time and passed.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed by the House to inform the Senate that the House have adopted on their part a joint resolution relating to the printing of Dr. Labaree's address before the Vermont Historical Society ;

In the adoption of which the concurrence of the Senate is requested.

The committee to canvass votes for county and probate district officers were duly sworn by Mr. Englesby, the President, *pro tempore*.

Senate bill entitled

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Senate bill entitled

S. 8. An act to amend section fourteen of chapter sixty-nine of the General Statutes, entitled "Of marriage" ;

Having been printed, was taken up and referred to the General Committee.

House joint resolution, relating to the printing of Dr. Labaree's address to the State Historical Society, was taken up, and by the President ordered to be read, which was as follows :

*Resolved, the Senate concurring herein*, That the President of the Senate and the Speaker of this House, solicit a copy of the able, patriotic and instructive address delivered by Dr. Labaree, in this Hall, on the evening of the 18th day of October, 1864, before the Historical Society of this State, and procure the printing of five hundred copies of the same ; and, after furnishing one copy to each of the members of the Senate and House of Representatives, and to the officers of the two Houses, to present to said Society the balance of said copies ;

On motion of Mr. Flagg it was

*Ordered* to lie.

Mr. Nichols introduced a bill entitled

S. 12. An act in addition to an act to incorporate the Brandon Iron and Car Wheel Company;

Which was read the first and second time, and referred to the Committee on Manufactures.

The President, *pro tempore*, read a communication from the the Sergeant-at-Arms, which was as follows :

*Hon. Paul Dillingham, President of the Senate :*

SIR : I have appointed as Door-Keeper of the Senate, Mr. GEORGE C. FRYE of West Concord ; as Assistant Door-Keeper, Mr. E. P. HITCHCOCK of Pittsford.

G. B. DODGE, Sergeant-at-Arms.

On motion of Mr. Henry, the Senate adjourned.

## AFTERNOON.

Mr. Williams, for the Committee on Manufactures to whom was referred Senate bill entitled

S. 12. An act in addition to " An act to incorporate the Brandon Iron and Car Wheel Company," approved November 18, 1851, and the act in addition thereto ;

Reported in favor of its passage ; thereupon said bill was

*Ordered* to be engrossed and read the third time to-morrow afternoon.

Mr. Flagg, for the Committee on Printing to whom was referred Senate bills entitled

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled " Of offences against public policy " ;

S. 9. An act providing for the recording of marriages, contracted by residents of this State, solemnized out of this State ;

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes ;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills ; and thereupon they were

*Ordered* to lie and be printed.

Mr. Nichols introduced a bill entitled

S. 13. An act to incorporate the Rutland Manufacturing Company ;



Which was read the first and second time and referred to the Committee on Manufactures.

Mr. Hutchinson introduced a bill entitled

S. 14. An act in amendment of section twenty-one of chapter seventy of the General Statutes, relating to divorce;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Williams, for the Committee on Manufactures to whom was referred Senate bill entitled

S. 13. An act to incorporate the Rutland Manufacturing Company;

Reported, recommending the passage of the bill; and thereupon said bill was

*Ordered* to be engrossed and read the third time to-morrow afternoon.

Mr. Flagg called up House joint resolution relating to the printing of Dr. Labaree's address before the Vermont Historical Society;

Which was not adopted in concurrence with the House.

Mr. Fish, for the General Committee to which was referred Senate bill entitled

S. 11. An act in amendment of an to incorporate the Mount Mansfield Hotel Company;

Reported, recommending the passage of the bill; and thereupon said bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

Mr. Nichols, for the Committee on Military Affairs to whom was referred Senate bill entitled

S. 4. An act relating to the bounty and pay of soldiers and the support of their families;

Reported, without giving any opinion, and asked that the committee might be discharged from further consideration of said bill; and they thereupon were discharged from further duties on said bill;

Whereupon said bill was referred to the Committee on the Judiciary.

Mr. Fish, for the General Committee to which was referred Senate bill entitled

S. 8. An act to amend section fourteen of chapter sixty-nine of the General Statutes, entitled "Of marriage";

Reported favorably, and, on motion of Mr. Chapman, the bill was laid on the table.

On motion of Mr. Tabor, the Senate adjourned.

## JOURNAL OF THE SENATE,

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THURSDAY, OCTOBER 20, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Clark introduced a bill entitled

S. 15. An act extending the charter of the Stark Bank ;

Which was read the first and second time, and referred to the Committee on Banks.

Mr. Reed, for the Committee on the Judiciary to whom was referred Senate bill entitled

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled " Of the support and removal of paupers, and the relief of the insane poor " ;

Reported the same, recommending that the words, " within thirty days from the time of making such order," in the last paragraph of the first section, be stricken out ; which was agreed to, and the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

Senate bills of the following titles, having been printed, were taken up and referred, to wit :

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled " Of offences against public policy " ;

S. 9. An act providing for the recording of marriages contracted by residents of this State, solemnized without this State ;

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes ;

All to the Committee on the Judiciary.

Engrossed bill entitled

S. 11. An act in amendment of an act to incorporate the Mount Mansfield Hotel Company ;

Was read the third time and passed.

Mr. Englesby introduced a bill entitled

S. 16. An act to pay Luman A. Drew the sum therein mentioned ;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Englesby introduced a bill entitled

S. 17. An act to commute the sentence of John Burns ;

Which was read the first and second time, and referred to the General Committee.

Mr. Clark introduced a bill entitled

S. 18. An act to incorporate the Bennington and Glastenbury Railroad, Mining and Manufacturing Company ;

Which was read the first and second time, and referred to the Committee on Roads.

Mr. Englesby presented the petition of H. C. Meader and one hundred and nineteen others, for the commutation of the sentence of John Burns ;

Which was referred to the General Committee.

Mr. Pennock moved that the vote of the Senate, non-concurring in the joint resolution to print Dr. Labaree's address, be reconsidered.

On motion of Mr. Henry, the motion to reconsider, and the resolution, were

*Ordered to lie.*

On motion of Mr. Abbott, the Senate adjourned.

## AFTERNOON.

Mr. Flagg, for the Committee on the Judiciary to whom was referred Senate bill entitled

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered to be engrossed and read the third time to-morrow afternoon.*

Engrossed bills entitled

S. 12. An act in addition to an act to incorporate the Brandon Iron and Car Wheel Company, approved November 18, 1851, and the act in addition thereto ;

S. 13. An act to incorporate the Rutland Manufacturing Company ;

Were severally read the third time and passed.

Mr. Englesby, for the Committee on the Judiciary to whom was referred Senate bill entitled

S. 4. An act relating to the bounty and pay of soldiers, and the support of their families ;

Reported the same, recommending that the bill be amended by

striking out sections two and three, and that the following be substituted:

SEC. 2. In case said bounty and pay is due directly from the town furnishing such support, so much thereof as the overseer of said town may deem necessary may be applied to such support of the family of said soldier;

That sections four and five be amended by substituting the numbers three and four instead, which was agreed to; and the bill as amended was

*Ordered* to engrossed and read the third time on Tuesday morning next.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 15. An act to legalize the grand list of the town of Wolcott for the years 1860, 1861, 1862, 1863 and 1864;

H. 5. An act fixing the time of holding county courts in the county of Windsor;

H. 25. An act in addition to chapter twenty-eight of the General Statutes, entitled "Of railroads and railroad commissioners";

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 5. An act fixing the time of holding county courts in the county of Windsor;

Was read the first and second time, and, on the motion of Mr. Chapman, was referred to a select committee consisting of the senators from the county of Windsor.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 15. An act to legalize the grand list of the town of Wolcott for the years 1860, 1861, 1862, 1863 and 1864;

To the Committee on Finance.

H. 25. An act in addition to chapter twenty-eight of the General Statutes, entitled "Of railroads and railroad commissioners";

To the Committee on Roads.

The hour having arrived for a Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Henry called up the joint resolution for printing the address of Dr. Labaree before the Vermont Historical Society. The question being, Will the Sen-

ate reconsider its vote of non-concurrence with the House in the adoption of the resolution? it was decided in the negative.

Mr. Hutchinson, for the Committee on Roads to whom was referred House bill entitled

H. 25. An act in addition to chapter twenty-eight of the General Statutes, entitled "Of railroads and railroad commissioners";

Reported in favor of its passage; and said bill was

*Ordered* to be read the third time on Tuesday morning next.

Mr. Reed, for the Committee on Printing to whom was referred Senate bill entitled

S. 14. An act in amendment of section twenty-one of chapter seventy of the General Statutes, relating to divorce;

Reported the same, and recommended the printing of three hundred and fifty copies; thereupon said bill was

*Ordered* to lie and be printed.

Mr. Wood moved that when the Senate adjourn, it adjourn to meet at nine o'clock to-morrow morning; which was agreed to.

On the motion of Mr. Wood, the Senate adjourned.

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## FRIDAY, OCTOBER 21, 1864.

Prayer by the Chaplain.

Journal of yesterday was read, corrected and approved.

Mr. Bottum introduced a bill entitled

S. 19. An act to authorize towns to prepare and publish a soldiers' record;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed, for the Committee on the Judiciary to whom was referred Senate bill entitled

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes;

Reported the same, recommending that the bill be amended by

striking out, in the first section, all after the words "shall die," and inserting in lieu thereof the following words: "remove from the State, become insane, or otherwise incapable of completing the proceedings, his successor in said office shall have power to perform all the duties required by this chapter, left unperformed by his predecessor";

Which was agreed to, and the bill, as amended, was

*Ordered* to be engrossed and read the third time on Tuesday morning next.

Mr. Clark introduced a bill entitled

S. 20. An act continuing the charter of the Bank of Poultney;

Which was read the first and second time, and referred to the Committee on Banks.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution, granting the use of the Hall of the House of Representatives to Ella Winchester;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House:

*Resolved, the Senate concurring therein*, That the use of the Representatives' Hall be granted to Miss Ella Winchester, of Springfield, Vermont, on Wednesday evening next, who, by the earnest request of her friends and acquaintances, proposes then to read, to such audience as may be in attendance, from Shakspeare and other popular authors;

Which was read, and adopted in concurrence.

Mr. Chapman, from the special committee to whom was referred House bill entitled

H. 5. An act fixing the time of holding county courts in the county of Windsor;

Reported the same, recommending that the Senate propose to the House to amend the bill by adding sections three and four, as follows:

SEC. 3. All writs and processes returnable to said Court on the first Tuesday of December next, shall be returnable to and entered in said Court on the second Tuesday of December;

SEC. 4. This act shall take effect from its passage;

Which was agreed to; and the bill as amended was read a third time, by unanimous consent, and passed in concurrence, with a proposal of amendment.

Engrossed bill entitled

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled, "Of the support and removal of paupers, and the relief of the insane poor";

Was read the third time. Mr. Pennock moved that the bill be committed to a senator to amend by striking out in the eighth and ninth lines in the first section of the bill, the words, "unless such pauper shall be removed within that time," and insert in lieu thereof the following: "or at the time of making such removal, if the pauper is removed within said thirty days";

Which was not agreed to; and thereupon the bill was passed.

Mr. Reed, for the Committee on Printing to whom was referred Senate bill entitled

S. 19. An act to authorize towns to prepare and publish a soldiers' record;

Reported the same, recommending the printing of three hundred and fifty copies; and said bill was

*Ordered to lie and be printed.*

Mr. Allen moved that when the Senate adjourn, it adjourn to meet at four o'clock Monday afternoon next; which was agreed to.

On motion of Mr. Richmond, the Senate adjourned.

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MONDAY, OCTOBER 24, 1864.

Mr. Englesby, President *pro tempore*, in the chair.

There being no quorum present, on motion of Mr. Wallace, the Senate adjourned.

TUESDAY, OCTOBER 25, 1864.

Prayer by the Chaplain.

The Journals of Friday and yesterday were read and approved.

Senate bill entitled

S. 14. An act in amendment of section twenty-one of chapter seventy of the General Statutes, relating to divorce;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Senate bill entitled

S. 19. An act to authorize towns to prepare and publish a soldiers' record;

Having been printed, was taken up and referred to the General Committee.

Engrossed Senate bill entitled

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes;

Was read the third time.

Mr. Hutchinson moved to commit the bill to a senator to amend as follows: by striking out in the first section the word "dollars"; which was agreed to;

And Mr. Hutchinson was designated as the senator to whom said bill should be committed under the instructions of the Senate.

Mr. Hutchinson reported said bill amended agreeably to the instructions of the Senate; and thereupon said bill was passed.

Engrossed Senate bill entitled

S. 4. An act relating to the bounty and pay of soldiers, and the support of their families;

Was read the third time and passed.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed by the House to inform the Senate that the House have adopted on their part a joint resolution granting the use of the Hall of the House of Representatives on Friday evening, October 28th, to H. W. Johnson, of Canandaigua, N. Y., for the purpose of an address;

In the adoption of which the concurrence of the Senate is requested.

Engrossed Senate bill entitled



S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes ;

Was read the third time and passed.

House bill entitled

H. 25. An act in addition to chapter twenty-eight of the General Statutes, entitled " Of railroads and railroad commissioners " ;

Was read the third time, and passed in concurrence.

House joint resolution was called up and read, which was as follows :

*Resolved by the Senate and House of Representatives,*  
That the use of the Hall of Representatives be granted on Friday evening next, to H. W. Johnson, Esq., a colored man of Canandaigua, N. Y., for the purpose of an address on the present position and future prospects of his own race in this country ;

Which was read, and adopted in concurrence.

Mr. Hutchinson introduced a bill entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

On motion of Mr. Henry, the Senate adjourned.

## AFTERNOON.

A message was received from the House, by Mr. Clarke, their Assistant Clerk, as follows ;

MR. PRESIDENT : I am directed to inform the Senate that the House have considered, and passed in concurrence, Senate bills of the following titles :

S. 12. An act in addition to an act to incorporate the Brandon Iron and Car Wheel Company, approved November 18, 1851, and the act in addition thereto ;

S. 13. An act to incorporate the Rutland Manufacturing Company.

The House have passed bills of the following titles :

H. 1. An act amending section six of chapter thirty-six of the General Statutes ;

H. 16. An act to provide for taking affidavits, depositions,

and acknowledgments of deeds of persons in the service of the United States;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution relating to the late fall elections, as manifested by our union army and the people of the loyal States;

In the adoption of which the concurrence of the Senate is requested.

The following joint resolution, from the House, was read, and adopted in concurrence:

*Resolved by the Senate and House of Representatives,* That we joyfully recognize in the recent expression of the popular will as manifested in the fall elections by the brave and victorious officers and soldiers in the field, as well as by the truly loyal people of the states, a sure indication of a persistent determination to unite in one grand, unyielding purpose to prosecute the war until the atrocious, barbarous rebellion against the national government, the constitution and our glorious union, is crushed, and the last vestige of treason and secession is wiped out from the face of our republic.

House bill entitled

H. 1. An act amending section six of chapter thirty-six of the General Statutes;

Was read the first and second time, and referred to the Committee on the Judiciary.

House bill entitled

H. 16. An act to provide for taking affidavits, depositions and acknowledgment of deeds of persons in the service of the United States;

Which was read the first and second time, and referred to the General Committee.

Mr. Chapman introduced a bill entitled

S. 22. An act to pay Thomas E. Powers the balance due him for superintending the reconstruction of the State House;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Reed, for the Committee on Printing to whom was referred Senate bill entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes;

Reported the same, recommending the printing of three hundred and fifty copies of said bill ; whereupon it was

*Ordered* to lie and be printed.

On motion of Mr. Reed, the Senate adjourned.

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WEDNESDAY, OCTOBER 26, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Flagg presented the memorial of the trustees of the Vermont Asylum ;

And, on motion of Mr. Flagg, it was referred to the Committee on Finance.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolution, from the Senate, providing for a Joint Assembly to hear the report of the committee to canvass votes for county officers and judges of probate ;

And have adopted the same in concurrence, with a proposal of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have considered, and passed in concurrence, Senate bill entitled

S. 6. An act in relation to costs before referees.

The House have considered the Senate proposal of amendment to

H. 5. An act fixing the time of holding county courts in the county of Windsor ;

And have concurred therein.

The House have adopted on their part

A joint resolution inviting the Hon. Jacob Collamer to address the General Assembly ; also

A joint resolution granting the use of the Representatives Hall for a public discussion on the agricultural college bill;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill of the following title:

H. 108. An act in amendment of an act therein mentioned;

In the passage of which the concurrence of the Senate is requested.

The joint resolution, providing for a Joint Assembly to hear the report of the committee to canvass the votes for county officers, was taken up, and the House proposal of amendment to strike out the words "eleven o'clock in the forenoon," and insert in lieu thereof the words, "three o'clock in the afternoon," was agreed to.

A joint resolution from the House:

*Resolved by the Senate and House of Representatives,* That the Hon. Jacob Collamer, of Woodstock, be invited to address the Legislature, in the Representatives' Hall, at such early time as may suit his convenience, upon the subject of the present rebellion; and that a committee of three be appointed to extend to Judge Collamer such invitation, consisting of two from the House, to be appointed by the Speaker of the House, and one from the Senate, to be appointed by the President of the Senate;

Which was read and adopted in concurrence.

A joint resolution from the House:

*Resolved by the Senate and House of Representatives,* That the use of the Representatives' Hall be granted on Thursday evening, October 27th, for the purpose of public discussion on the question of the agricultural college;

Which was read, considered, and the question being, Will the Senate adopt the resolution in concurrence? it was decided in the negative.

House bill entitled

H. 108. An act in amendment of an act therein mentioned;

Was read the first and second time.

On the motion of Mr. Henry, the twenty-first rule, requiring twenty-four hours to intervene between the first and third reading, was suspended; thereupon the bill was read the third time and passed in concurrence.

Mr. Smith introduced the following joint resolution, which was read and adopted:

*Resolved by the Senate and House of Representatives,* That so much of the Governor's message as relates to the providing a statue for the National Hall of statuary, be referred

to the Board of Education, with instructions to report to the next session of the Legislature such action as they may think proper in reference thereto; and, in case they should recommend the furnishing of a statue, that they be requested to suggest a suitable subject for the same, and to report the probable expense of its erection.

Mr. Englesby introduced a bill entitled

S. 23. An act relating to the grand list, and instructing the listers in their duty;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed, from the Committee on Printing to whom was referred Senate bill entitled

S. 28. An act relating to the grand list, and instructing the listers in their duty;

Reported the same, recommending the printing of three hundred and fifty copies; and thereupon said bill was

*Ordered* to lie, and be printed.

Senate bill entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-three of the General Statutes;

Having been printed, was taken up and referred to the Committee on the Judiciary.

On the motion of Mr. Williams, the Senate adjourned.

## AFTERNOON.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered and passed in concurrence Senate bills of the following title:

S. 11. An act in amendment of an act to incorporate the Mount Mansfield Hotel Company, approved November 6, 1863;

H. 21. An act amending the second section of the act to incorporate the village of Montpelier, approved November 14, 1855;

H. 41. An act to repeal sections five, six and seven of chapter sixty-nine of the General Statutes;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred as follows :

H. 21. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855 ;

H. 41. An act repealing sections five, six and seven of chapter sixty-nine of the General Statutes ;

To the Committee on the Judiciary.

Mr. Englesby introduced a bill entitled

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Chapman introduced a bill entitled

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled "Grand list" ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed, for the Committee on Printing to whom was referred Senate bills entitled

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list ;

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled "Grand list" ;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills ; thereupon said bills were

*Ordered* to lie and be printed.

The hour for the Joint Assembly having arrived, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, on the motion of Mr. Wood, the Senate adjourned.

THURSDAY, OCTOBER 27, 1864.

Prayer by the Chaplain.

Journal of yesterday read and approved.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill of the following title :

H. 38. An act to prevent unreasonable delay in the trial of suits at law ;

In the passage of which the concurrence of the Senate is requested.

Mr. Fish introduced a bill entitled

S. 26. An act to incorporate the Brandon Kaolin and Paint Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Tabor presented the petition of Charles Pearce and forty-three others, relating to the Atlantic and St. Lawrence Railroad ;

Which was read and referred to the Committee on Roads.

House bill entitled

H. 38. An act to prevent unreasonable delay in the trial of suits at law ;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Flagg introduced a bill entitled

S. 27. An act relating to the service of trustee process :

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Fish introduced a bill entitled

S. 28. An act to incorporate the Brandon Silver Lead Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hollister introduced a bill entitled

S. 29. An act to incorporate the Factory Point Boot and Shoe Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Hollister presented the petition of H. G. Root and forty-

three others, citizens of Bennington, asking for the repeal of the law requiring the publication of the intention of marriage ;

Which was referred to the Committee on the Judiciary.

Mr. Reed, from the Committee on Printing to whom was referred Senate bill entitled

S. 27. An act relating to the service of trustee process ;

Reported the same, recommending the printing of three hundred and fifty copies ; and said bill was

*Ordered* to lie and be printed.

Senate bill entitled

S. 28. An act relating to the grand list, and instructing the listers in their duty ;

Was taken up, having been printed, and referred to the Committee on Finance.

On the motion of Mr. Flagg, the Senate adjourned.

#### AFTERNOON.

Senate bills of the following titles, having been printed, were taken up and referred, viz :

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list ;

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled " Grand list " ;

To the Committee on Finance.

Mr. Henry, from the Committee on Banks to whom was referred Senate bill entitled

S. 20. An act continuing the charter of the Bank of Poultney ;

Reported in favor of the passage of the same ; and said bill was

*Ordered* to be engrossed, and read the third time.

Mr. Abbott, from the General Committee to whom was referred Senate bill entitled

S. 19. An act to authorize towns to prepare and publish a soldiers' record ;

Reported the same, recommending its passage ; thereupon the bill was

*Ordered* to be engrossed and read the third time to-morrow afternoon.



Mr. Flagg, from the Committee on the Judiciary to whom was referred Senate bill entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes;

Reported the same, recommending that the bill be amended by striking out the fourth section, and inserting in its place the following: "The provisions of chapter sixty-eight of the General Statutes, entitled 'Of estates of homestead,' shall be subject to the provisions of this act";

Which was agreed to; and, on motion of Mr. Smith, the bill was

*Ordered to lie.*

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 21. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855;

Reported in favor of the passage of the same; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 14. An act in amendment of section twenty-one of chapter seventy, relating to divorce:

Reported the same without any expression of opinion; and, on motion of Mr. Hutchinson, it was

*Ordered to lie.*

Mr. Smith introduced the following joint resolution, which was read and adopted:

*Resolved by the Senate and House of Representatives,*  
That the Governor be requested to procure a sword, with appropriate fittings, and cause the same to be presented to Brigadier General George J. Stannard, a native and citizen of this State, and now in the active volunteer service of the United States, in token of the high sense entertained by this Legislature of his gallant and heroic conduct on many battle-fields, in defence of the government and the honor of the flag, and in recognition of his personal sacrifice and sufferings made and endured to reflect honor and renown upon the State, and to maintain and perpetuate the government in all its integrity and unity.

Mr. Hollister moved that the Senate adjourn, which was not agreed to.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the

Speaker has appointed as the committee on the part of the House to invite the Hon. Jacob Collamer to address the General Assembly,

Mr. Pratt of Woodstock,  
" Wilson of Bakersfield.

The President *pro tempore* appointed as the committee on the part of the Senate to invite Hon. Jacob Collamer to address the General Assembly,

Mr. Cushman.

Mr. Williams, for the Committee on Bills, presented the following report:

The Committee on Bills have this day presented House bill entitled

H. 108. An act in amendment of an act therein mentioned;  
To his Excellency, the Governor, for his approval and signature.

W. W. WILLIAMS, for Committee.

On motion of Mr. Reed, the Senate adjourned.

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FRIDAY, OCTOBER 28, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Williams introduced a bill entitled

S. 30. An act to incorporate the Mendon Marble Company;  
Which was read the first and second time, and referred to the Committee on Manufactures.

Senate bill entitled

S. 27. An act relating to the service of trustee process;  
Having been printed, was taken up and referred to the Committee on the Judiciary.

Engrossed bill

S. 20. An act continuing the charter of the Bank of Poultney;

Was read the third time and passed.

On motion of Mr. Barrett, the vote adopting joint resolution authorizing the Governor to procure a sword to be presented to Brigadier General George J. Stannard, was reconsidered, and, on motion of Mr. Henry, was

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes;

And have passed the same in concurrence, with a proposal of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have also considered Senate bill entitled

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 20. An act to incorporate the Johnson Cemetery Association;

H. 22. An act to incorporate the Essex County Railroad Company;

H. 48. An act to legalize the grand list of the town of Troy for the year 1864;

H. 52. An act in addition to and in amendment of section seven of chapter one hundred and thirteen of the General Statutes;

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes;

In the passage of which the concurrence of the Senate is requested.

Senate bill entitled

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes;

Was taken up; and the House proposal of amendment to said bill was agreed to.

House bills of the following titles were severally read the first and second time, and referred as follows:

H. 20. An act to incorporate the Johnson Cemetery Association;

To the General Committee.

H. 22. An act to incorporate the Essex County Railroad Company;

To the Committee on Roads.

H. 43. An act to legalize the grand list of Troy for the year 1864;

To the Committee on Finance.

H. 52. An act in addition to and amendment of section seven, chapter one hundred thirteen, of the General Statutes;

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes;

To the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 67. An act authorizing selectmen to build school houses;

H. 85. An act to legalize the grand list of the town of Rutland;

H. 98. An act restoring Henry D. Raymond to his legal rights and privileges;

H. 99. An act to incorporate the Great Falls Manufacturing Company;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time and referred, to wit:

H. 67. An act authorizing selectmen to build school houses;

To the Committee on Education.

H. 85. An act to legalize the grand list of the town of Rutland for the year 1864;

To the Committee on Finance.

H. 98. An act restoring Henry D. Raymond to his legal rights and privileges;

To the General Committee.

H. 99. An act to incorporate the Great Falls Manufacturing Company;

To the Committee on Manufactures.

On motion of Mr. Fish, the Senate adjourned.

## AFTERNOON.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 22. An act to incorporate the Essex County Railroad Company;

Reported, recommending the passage of the bill; and thereupon said bill was

*Ordered* to be read the third time on Tuesday afternoon next.

Mr. Williams, from the Committee on Manufactures to whom were referred Senate bills entitled

S. 26. An act to incorporate the Brandon Kaolin and Paint Company;

S. 28. An act to incorporate the Brandon Silver Lead Company;

Reported said bills, recommending that they be amended by striking out the second section of each of said bills, and substituting the following:

“The first meeting of said corporation shall be held in Brandon, in the county of Rutland, at such time and place as the said David M. Prime shall designate, giving personal notice to all the incorporators of the time and place of said meeting, at least six days previous to said meeting. At such meeting, or at any subsequent meeting of the corporation, the corporation may make, alter or amend such by-laws and regulations for the conducting of its affairs as may be deemed necessary, not inconsistent with the constitution and laws of this State or of the United States;

Which was agreed to; and said bills, as amended, were

*Ordered* to be engrossed, and read the third time.

Mr. Williams, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 29. An act to incorporate the Factory Point Boot and Shoe Company;

Reported in favor of the passage of the same, when amended as follows: By striking out in the last line of said bill the words “not inconsistent with this act”;

Which was agreed to; and thereupon the bill was

*Ordered* to be engrossed, and read the third time.

Mr. Williams, for the Committee on Manufactures to whom was referred House bill entitled

H. 99. An act to incorporate the Great Falls Manufacturing Company ;

Reported in favor of its passage ; and the bill was

*Ordered* to be read the third time.

Mr. Flagg, for the Committee on the Judiciary to whom was referred House bill entitled

H. 41. An act to repeal sections five, six and seven of chapter sixty-nine of the General Statutes ;

Reported the same for a majority of the committee, recommending its passage.

On motion of Mr. Henry, the bill was

*Ordered* to lie.

Mr. Abbott, from the General Committee to whom was referred Senate bill entitled

S. 17. An act to commute the sentence of John Burns ;

Reported the same without an expression of opinion, and asked to be discharged from its further consideration ; and, on the motion of Mr. Crane, the bill and accompanying papers were

*Ordered* to lie.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 9. An act providing for the recording of marriages contracted by residents of this State, solemnized out of this State ;

Reported the same, recommending that the bill be amended by striking out all of section one, and inserting in lieu thereof the following :

SEC. 1. If residents of this State shall go into another State for the purpose of marriage, and their marriage shall be there solemnized, and the parties to said marriage shall immediately thereafter return to dwell in this State, within ten days after such return the husband shall cause to be filed, in the office of the clerk of the town in which either of said parties resided at the date of said marriage, a certificate or copy of the record of said marriage, together with a statement of the information, in regard to the parties married, required by section one, chapter seventeen, of the General Statutes. And in case the husband in any such marriage shall neglect to comply with the provisions of this section, he shall be fined ten dollars for the benefit of either of the towns in which said certificate, or copy of record, is required to be filed ; and prosecution may be had in either of said towns, and said fine shall belong to the town in which said prosecution is instituted ;

Also, to strike out in section two, line five, the words, " make a full record of such marriage," and insert in lieu thereof the

words, "record at length the said certificate, or copy of record, of such marriage";

Which amendments were agreed to, and, on the motion of Mr. Barrett, the bill was

*Ordered to lie.*

Mr. Hutchinson, for the Committee on Roads to whom was referred a bill entitled

S. 18. An act to incorporate the Bennington and Glastenbury Railroad, Mining and Manufacturing Company;

Reported in favor of its passage; and thereupon said bill was

*Ordered to engrossed and read the third time.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered a joint resolution from the Senate, relating to that part of the Governor's message in reference to providing a statue for the National Hall of statuary;

And have adopted the same in concurrence.

*Engrossed bill entitled*

S. 19. An act to authorize towns to prepare and publish a soldiers' record;

Was read a third time. Mr. Cushman moved that the bill be committed to a senator to amend by striking out the word "may" wherever it occurs in said bill, and inserting in lieu thereof the word "shall"; which was disagreed to—yeas 5, nays 21.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Clark,  
Cushman,

Henry,  
Meacham,

Tabor—5.

Those senators who voted in the negative are Messrs.

Abbott,  
Barrett,  
Bottom,  
Chapman,  
Clement,  
Crane,  
Dana,

Englesby,  
Fish,  
Flagg,  
Hobart,  
Hollister,  
Hutchinson,  
Kellam,

Pennock,  
Reed,  
Richmond,  
Ruble,  
Upham,  
Wallace,  
Williams—21.

Mr. Crane moved to commit to a senator to amend in the sixth section, by inserting after the word "authorized" the words, "and directed"; which was agreed to.

The President *pro tempore* designated Mr. Crane as the senator to whom the bill should be committed for amendment, under the instructions of the Senate.

Mr. Crane reported said bill amended agreeably to the instructions of the Senate; and thereupon the bill was passed.

Mr. Pennock introduced a bill entitled  
S. 31. An act amending section twelve of chapter one hundred and twenty-six of the General Statutes;  
Which was read the first and second time, and referred to the Committee on Printing.  
On the motion of Mr. Chapman, the Senate adjourned.

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SATURDAY, OCTOBER 29, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Engrossed bills of the following titles were severally read the third time and passed:

S. 18. An act to incorporate the Bennington and Glastenbury Railroad, Mining and Manufacturing Company;

S. 26. An act to incorporate the Brandon Kaolin and Paint Company;

S. 28. An act to incorporate the Brandon Silver Lead Company;

S. 29. An act to incorporate the Factory Point Boot and Shoe Company.

House bill entitled

H. 99. An act to incorporate the Great Falls Manufacturing Company;

Was read the third time, and passed in concurrence.

Mr. Chapman introduced a bill entitled

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled "Of the limitations of real and personal actions, and rights of entry";

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Wood introduced a bill entitled

S. 33. An act in addition to chapter thirty-six of the General Statutes, entitled "Of depositions and witnesses";

Which was read the first and second time, and referred to the Committee on Printing.



Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 20. An act to incorporate the Johnson Cemetery Association;

Reported in favor of its passage; and the bill was read the third time, and passed in concurrence.

Mr. Reed, from the Committee on Printing to whom were referred bills entitled

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled "Of the limitations of real and personal actions, and rights of entry";

S. 33. An act in addition to chapter thirty-six of the General Statutes, entitled "Of depositions and witnesses";

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills; whereupon the bills were

*Ordered* to lie and be printed.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor";

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 3. An act in addition to an act laying a tax on Orange County, approved November 6, 1863;

H. 27. An act to repeal a part of section fifty, chapter twenty-two, of the General Statutes, and to amend the remainder;

H. 29. An act regulating fees for justice writs;

H. 36. An act to incorporate the Salisbury Marble Company;

H. 48. An act requiring notaries public to pay the county clerk recording fees;

H. 56. An act continuing the charter of Orange County Bank;

H. 64. An act granting certain rights to the proprietors of the Lyme Bridge Company;

H. 68. An act providing for the record of orders of removal of paupers;

H. 80. An act relating to petit jurors;

H. 122. An act restoring Chauncey Mattison to his legal rights and privileges;

H. 128. An act to incorporate the Cedar Hill Marble Company;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 3. An act in addition to an act laying a tax on Orange County;

On the motion of Mr. Hutchinson, the bill was referred to a select committee consisting of the senators from Orange County.

H. 27. An act to repeal a part of section fifty, chapter twenty-two, of the General Statutes, and to amend the remainder ;

To the Committee on Education.

H. 29. An act regulating fees for justice writs ;

H. 68. An act providing for recording orders of removal of paupers ;

H. 80. An act relating to petit jurors ;

All to the Committee on the Judiciary.

H. 36. An act to incorporate the Salisbury Marble Company ;

H. 128. An act to incorporate the Cedar Hill Marble Company ;

To the Committee on Manufactures.

H. 48. An act requiring notaries public to pay the county clerk recording fees ;

H. 122. An act restoring Chauncey Mattison to his legal rights and privileges ;

To the General Committee.

H. 56. An act extending the charter of Orange County Bank ;

To the Committee on Banks.

H. 64. An act granting certain rights to the proprietors of the Lyme Bridge Company ;

To the Committee on Roads.

On motion of Mr. Cushman, the Senate adjourned.

## AFTERNOON.

Mr. Williams, from the Committee on Manufactures to whom was referred Senate bill entitled

S. 30. An act to incorporate the Mendon Marble Company ;

Reported the same, recommending that the bill be amended by striking out in the first section, after the words " and the same alter at pleasure," the words " may have perpetual succession."

On motion of Mr. Reed, the bill and amendments were

*Ordered to lie.*

Mr. Clark, from the Committee on Finance to whom was referred House bill entitled

H. 85. An act to legalize the grand list of the town of Rutland ;

Reported in favor of its passage ; and thereupon the bill was

*Ordered to be read the third time on Tuesday afternoon next.*

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 31. An act amending section twelve, chapter one hundred twenty-six, of the General Statutes ;

Reported the same, recommending the printing of three hundred and fifty copies ; and said bill was

*Ordered to lie and be printed.*

Mr. Clark, from the Committee on Banks to whom was referred House bill entitled

H. 30. An act extending the charter of the Orange County Bank ;

Reported in favor of its passage ; and thereupon said bill was

*Ordered to be read the third time.*

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 20. An act continuing the charter of the Bank of Poultney ;

And have passed the same in concurrence.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the

House have adopted on their part a joint resolution granting the use of the Representatives' Hall on Tuesday evening, November 1st, to the Rev. E. B. Palmer and the Hon. H. E. Stoughton, for the purpose of addresses ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,*  
That the use of the Representatives' Hall is hereby granted to the Rev. E. B. Palmer of Boston, and the Hon. H. E. Stoughton of Rockingham, to deliver addresses on the present state of the union, on Tuesday evening, November 1st, 1864 ;

Which was read ; and, on the motion of Mr. Reed,

*Ordered to lie.*

On motion of Mr. Clark, the Senate adjourned.

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MONDAY, OCTOBER 31, 1864.

Prayer by the Rev. H. P. Cushing of Barton.

Journal of Saturday was read and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to request the Senate to return to the possession of the House the joint resolution granting the use of the Hall of the House of Representatives on Tuesday evening, November 1st, to Rev. E. B. Palmer of Boston, and Hon. H. E. Stoughton of Rockingham, to deliver addresses.

The House have passed a bill entitled

H. 39. An act providing for the better defining of the limits of school districts composed of territory belonging to two or more towns ;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution giving certain books to H. W. Johnson, Esq., and expressing cordial wishes for his success ; also

Joint resolution granting the use of Representatives' Hall Wednesday evening, November 2d, to Dr. David P. Holton of New York ;

In the adoption of which the concurrence of the Senate is requested.

Mr. Hollister introduced a bill entitled

S. 34. An act in relation to real estate owned by banks ;

Which was read the first and second time, and referred to the Committee on Banks.

Mr. Hollister introduced a bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four, chapter twenty-eight, of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

House joint resolution, granting the use of the Hall of the House of Representatives on Tuesday evening, November 1st, to the Rev. E. B. Palmer and the Hon. H. E. Stoughton for the purpose of addresses,

Was taken up ; and the question being, Will the Senate restore it to the possession of the House ? it was decided in the affirmative.

House bill entitled

H. 39. An act providing for the better defining of the limits of school districts composed of territory belonging to two or more towns ;

Was read the first and second time, and referred to the Committee on Education.

House joint resolution, giving certain books to H. W. Johnson, Esq., and expressing cordial wishes for his success,

Was taken up and read, and was as follows :

*Resolved, the Senate concurring herein,* That the State of Vermont present to H. W. Johnson, Esq., a copy of the General Statutes and a copy of the laws of the October session, 1863, and a copy of the tenth volume of the Vermont Reports, and a copy of each volume of said Reports published subsequently to that volume up to the present time ; and the librarian is hereby directed to deliver to Mr. Johnson the books so presented to him.

*Resolved further,* That Mr. Johnson has the cordial wishes of the two Houses that his success as a member of the legal profession in the country he is about to adopt, may be equal to his acknowledged high qualifications as a member of the bar.

Mr. Englesby proposed to amend the resolution by proposing

to the House to strike out the second clause in the resolution ; which was agreed to.

On motion of Mr. Englesby, the resolution was divided ; and the Senate refused to adopt the last clause of the resolution in concurrence with the House.

On motion of Mr. Chapman, the resolution was

*Ordered* to lie.

House joint resolution, inviting Dr. David P. Holton to speak in the Hall of the House of Representatives, on Wednesday evening next ;

Was called up and read, and is as follows :

*Resolved by the Senate and House of Representatives*, That Dr. David P. Holton, of New York, corresponding secretary of the Institute of Reward for Orphans of Patriots, be invited to make a statement of the objects and labors of that association, in the Hall of the House of Representatives, next Wednesday evening, November 2d.

On motion of Mr. Williams, the resolution was

*Ordered* to lie.

Mr. Reed, from the Committee on Printing to whom was referred Senate bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four of chapter twenty-eight of the General Statutes ;

Reported the same, recommending the printing of three hundred and fifty copies ; thereupon said bill was

*Ordered* to lie and be printed.

House bill entitled

H. 56. An act extending the charter of the Orange County Bank ;

Was read the third time and passed in concurrence.

Senate bill entitled

S. 31. An act amending section twelve of chapter one hundred and twenty-six of the General Statutes ;

Having been printed, was taken up and referred to the Committee on Finance.

Senate bill entitled

S. 32. An act in amendment of chapter sixty-three of section twenty-five of the General Statutes, entitled " Of limitations of real and personal actions and rights of entry " ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Senate bill entitled

S. 33. An act in addition to chapter thirty-six of the General Statutes, entitled " Of depositions and witnesses " ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 52. An act in addition to and in amendment of section seven of chapter one hundred and thirteen of the General Statutes;

Reported the same, recommending its passage; whereupon said bill was

*Ordered* to be read the third time to-morrow afternoon.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 29. An act regulating fees for justice writs;

Reported the same, recommending its passage; whereupon said bill was read the third time, and passed in concurrence.

Mr. Reed, for the Committee on the Judiciary to whom was referred House bill entitled

H. 1. An act amending section six of chapter thirty-six of the General Statutes;

Reported in favor of its passage; and the bill was read the third time and passed in concurrence.

Mr. Chapman called up the House joint resolution, giving certain books to H. W. Johnson, Esq., and expressing cordial wishes for his success.

The question being, Shall the first clause of the resolution be adopted in concurrence? Mr. Chapman moved that the Senate propose to the House to amend the resolution by striking out the words "the tenth volume of the Vermont Reports and a copy of each volume of the said Reports published subsequently to that volume up to the present time," and insert in lieu thereof the following words "such of the volumes of the Vermont Reports as in the opinion of the trustees of the library can be spared without prejudice thereto,"

Which was agreed to. On motion of Mr. Nichols the resolution was

*Ordered* to lie.

On motion of Mr. Hobart, the Senate adjourned.

## AFTERNOON.

Mr. Flagg, for the Committee on the Judiciary to whom was referred House bill entitled

H. 80. An act relating to petit jurors;

Reported in favor of its passage; and the bill was read the third time and passed in concurrence.

A message was received from the House, by Mr. Houghton, their Assistant Clerk, as follows;

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 28. An act to amend section six of chapter fifty-five of the General Statutes, entitled "Of estates in dower and by the curtesy";

H. 88. An act in amendment of sections eighty-three and one hundred and ten of chapter twenty-two of the General Statutes, relating to common schools and school laws;

H. 155. An act relating to vagrants;

In the passage of which the concurrence of the Senate is requested.

Mr. Flagg, from the Committee on the Judiciary to whom was referred House bill entitled

H. 16. An act to provide for taking affidavits, depositions and acknowledgments of deeds of persons in the service of the United States;

Reported the same, recommending that the Senate propose to the House to amend the bill by striking out from the third section thereof all after the word "passage"; which proposal of amendment was agreed to, and the bill was

*Ordered* to be read the third time to-morrow afternoon.

House bill entitled

H. 23. An act to amend section six of chapter fifty-five of the General Statutes, entitled "Of estates in dower and by the curtesy";

Was read the first and second time, and referred to the Committee on the Judiciary.

House bill entitled

H. 88. An act in amendment of sections eighty-three and one hundred and ten of chapter twenty-two of the General Statutes, relating to common schools and school laws;



Was read the first and second time, and referred to the Committee on Education.

House bill entitled

H. 155. An act relating to vagrants ;

Was read the first and second time, and referred to the General Committee.

Senate bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four of chapter twenty-eight of the General Statutes ;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Mr. Abbott, from the General Committee to whom was referred House bill entitled

H. 122. An act restoring Chauncey Mattison to his legal rights ;

Reported in favor of its passage ; and the bill was read the third time and passed in concurrence.

The hour for the Joint Assembly having arrived, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, on motion of Mr. Wallace, the Senate adjourned.

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## TUESDAY, NOVEMBER 1, 1864.

Prayer by the Rev. A. L. Cooper, Chaplain of the House of Representatives.

Journal of yesterday was read and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills of the following titles :

S. 26. An act to incorporate the Brandon Kaolin and Paint Company ;

S. 29. An act to incorporate the Factory Point Boot and Shoe Company;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

Engrossed Senate bill entitled

S. 26. An act to incorporate the Brandon Kaolin and Paint Company;

Was taken up, and the House proposal of amendment to said bill was agreed to, and is as follows: By striking out from section three, line seventeen, the words "assenting thereto."

Engrossed Senate bill entitled

S. 29. An act to incorporate the Factory Point Boot and Shoe Company;

Was taken up, and the following proposal of amendment from the House was agreed to: By adding to section seven the words "for such excess."

Mr. Englesby, from the Committee on the Judiciary to whom was referred a bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four of chapter twenty-eight of the General Statutes;

Reported the same, recommending that the bill be amended by striking out section three, and substituting the following:

"SEC. 3. Each stockholder shall be entitled to as many votes and in the same manner as were stockholders in the corporation mortgaging, by its original act of incorporation;"

Which was agreed to, and the bill, as amended, was

Ordered to be engrossed and read the third time to-morrow morning.

Mr. Pennock introduced a bill entitled

S. 36. An act increasing the capital stock of the Lamoille County Bank;

Which was read the first and second time, and referred to the Committee on Banks.

On the motion of Mr. Henry, House bill entitled

H. 41. An act repealing sections fifth, sixth and seventh of chapter sixty-nine of the General Statutes;

Was taken up. Mr. Henry moved to propose to the House to amend the bill by adding to section one the following proviso: *Provided*, however, that in case any minister of the gospel, or justice of the peace, shall solemnize any marriage between parties either of whom shall be insane, or who may be for any cause

whatever under guardianship, without the written consent of the guardian or guardians of such parties ; or in case of a town pauper, without the written consent of the selectmen or overseer of the poor of each of the towns where said parties reside, or which are liable for the support of the same, such minister of the gospel or justice of the peace solemnizing such marriage shall be liable to all the penalties prescribed in chapter sixty-nine of the General Statutes, in the same manner as they would be without the passage of this act ;

Which was agreed to ; and the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Crane introduced a bill entitled

S. 37. An act to pay Lemuel S. Drew, the sum therein mentioned ;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Englesby introduced a bill entitled

S. 38. An act defining who shall be voters in town, city, village and school district meetings ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 64. An act granting certain rights to the proprietors of the Lyme Bridge Company ;

Reported in favor of its passage, and the bill was

*Ordered* to be read the third time to-morrow morning.

House bill entitled

H. 52. An act in addition to and in amendment of section seven of chapter one hundred and thirteen of the General Statutes ;

Was read the third time and passed in concurrence.

Mr. Chapman, from the Committee on Finance to whom was referred a bill entitled

S. 31. An act amending section twelve of chapter one hundred and twenty-six of the General Statutes ;

Reported in favor of its passage ; and, on motion of Mr. Chapman, the bill was

*Ordered* to lie, and be made the special order for eleven o'clock on Friday morning next.

On the motion of Mr. Williams, a bill entitled

S. 30. An act to incorporate the Mendon Marble Company ;

Was taken up ; and the amendment proposed by the committee to said bill was agreed to, and the bill was

*Ordered* to be engrossed, and read the third time.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 6. An act in relation to costs before referees ;

S. 11. An act in amendment of an act to incorporate the Mount Mansfield Hotel Company, approved November 6, 1863 ;

S. 12. An act in addition to an act to incorporate the Brandon Iron and Car Wheel Company, approved November 18, 1851, and the acts in addition thereto ;

S. 13. An act to incorporate the Rutland Manufacturing Company.

On the motion of Mr. Pennock, a bill entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes ;

Was taken up, considered, and, on motion of Mr. Englesby,  
*Ordered to lie.*

On the motion of Mr. Williams, the Senate adjourned.

## AFTERNOON.

Mr. Hutchinson, from a special committee to whom was referred House bill entitled

H. 3. An act in addition to an act laying a tax on Orange county, approved November 6, 1863 ;

Reported the same, recommending its passage ; and thereupon the bill was

*Ordered to be read the third time to-morrow afternoon.*

House bill entitled

H. 22. An act to incorporate the Essex County Railroad Company ;

Was read the third time and passed in concurrence.

Mr. Pennock presented the petition of L. H. Noyes and others, stockholders in the Lamoille County Bank, asking for increase of capital ;

Which was referred to the Committee on Banks.

Mr. Clark introduced a bill entitled

S. 39. An act to incorporate the Poultney Hotel Company ;  
Which was read the first and second time, and referred to the  
General Committee.

Mr. Fish, from the General Committee to whom was referred  
House bill entitled

H. 155. An act relating to vagrants ;

Reported in favor of its passage ; thereupon said bill was read  
the third time, and passed in concurrence.

A message was received from his Excellency, the Governor, by  
Mr. Williams, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT : I am directed by the Governor to deliver  
to the Senate a communication in writing, with an accompanying  
document.

The President laid before the Senate the following communi-  
cation from his Excellency, the Governor :

EXECUTIVE CHAMBER,  
MONTPELIER, November, 1, 1864. }

*Hon. Paul Dillingham, President of the Senate :*

SIR : I have the honor to transmit herewith the annual report  
of the trustees of the Vermont State Library.

J. GREGORY SMITH.

The report of the trustees of the State Library was read and  
referred to the Committee on the Library.

(For Report see Appendix.)

House bill entitled

H. 16. An act to provide for taking affidavits, depositions  
and acknowledgment of deeds of persons in the service of the  
United States ;

Was read the third time, and passed in concurrence, with a pro-  
posal of amendment.

House bill entitled

H. 85. An act to legalize the grand-list of the town of Rut-  
land ;

Was read the third time, and passed in concurrence.

A message was received from the House of Representatives, by  
Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the  
House have considered Senate bill entitled

S. 28. An act to incorporate the Brandon Silver Lead Com-  
pany ;

And have passed the same in concurrence, with a proposal of  
amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 40. An act to repeal an act entitled "An act to encourage volunteering," approved November 11, 1863;

H. 103. An act to legalize the grand list of the town of Lemington for the year 1860;

H. 132. An act in relation to dower and homestead;

H. 147. An act to legalize the grand list of the town of Topsham;

In the passage of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 28. An act to incorporate the Branden Silver Lead Company;

Was taken up, and the House proposal of amendment to strike out the words "assenting to the same," in section three, line seventeen, was agreed to.

House bills of the following titles were severally read the first and second time, and referred, as follows:

H. 40. An act to repeal an act entitled "An act to encourage volunteering," approved November 11, 1863;

To the Committee on Military Affairs.

H. 103. An act to legalize the grand list of the town of Lemington for the year 1860;

H. 147. An act to legalize the grand list of the town of Topsham;

To the Committee on Finance.

H. 132. An act in relation to dower and homestead;

To the Committee on the Judiciary.

The hour for the Joint Assembly having arrived, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Clark introduced a bill

S. 40. An act to incorporate the Poultney Normal Institute;

Which was read the first and second time, and referred to the Committee on Education.

On the motion of Mr. Wood, the Senate adjourned.

WEDNESDAY, NOVEMBER 2, 1864.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Barrett introduced a bill entitled

S. 41. An act in amendment of section thirty-three, chapter fifteen, of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles ;

H. 5. An act fixing the time of holding county courts in the county of Windsor ;

H. 11. An act in amendment of an act providing for soldiers voting ;

H. 21. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855 ;

H. 25. An act in addition to chapter twenty-eight of the General Statutes, entitled "Of railroads and railroad commissioners" ;

H. 99. An act to incorporate the Great Falls Manufacturing Company.

The House have passed bills of the following titles :

H. 126. An act to incorporate the Rutland Insurance Company ;

H. 159. An act to amend section one of an act incorporating the Underhill Center Hotel Company ;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution tendering thanks to the people of Philadelphia,

In the adoption of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 126. An act to incorporate the Rutland Insurance Company;

H. 159. An act to amend section one of an act incorporating the Underhill Center Hotel Company;

To the General Committee.

A joint resolution from the House :

WHEREAS, since the commencement of the war for the preservation of the union, the people of Philadelphia have shown distinguished kindness and hospitality towards the nation's brave defenders on their passage through the city, and to such as have been from time to time in its hospitals, and that not as the expression of a temporary and transient enthusiasm and sympathy, but with continuous and unflinching beneficence ; and

WHEREAS, our Vermont soldiers have shared liberally in this bountiful goodness, therefore

*Resolved by the Senate and House of Representatives, That in the name of the people of Vermont we tender our sincere and hearty thanks to the good people of Philadelphia for their generous hospitality, and hope Heaven may abundantly reward their noble city for what she has done for our gallant braves, for the salvation of the republic, and the speedy and successful termination of our sanguinary struggle for the preservation of the union.*

*Resolved, That the Governor is hereby requested to send a copy of these resolutions to the Governor of Pennsylvania and the Mayor of the city of Philadelphia ;*

Which were read, and, on the motion of Mr. Nichols,

*Ordered to lie.*

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 39. An act to incorporate the Poultney Hotel Company ;

Reported in favor of its passage ; and the bill was

*Ordered to be engrossed and read the third time.*

On the motion of Mr. Chapman, a bill entitled

S. 9. An act providing for the recording of marriages contracted by residents of this State, solemnized without this State ;

Was taken up. Mr. Chapman moved to amend by adding a section as follows :

SEC. 3. A certified copy of the record of any marriage made by the town clerk as provided by this act, shall be received in all courts and places as presumptive evidence of the fact of such marriage ;

Which was agreed to.

Mr. Dana moved to amend by adding to section one the fol-



lowing proviso: "*Provided*, such suits to recover the penalty herein shall be brought within ninety days from the time the right of action shall accrue";

Which was not agreed to; and the bill, as amended, was

*Ordered* to be engrossed, and read the third time to-morrow morning.

On the motion of Mr. Hutchinson, a bill entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes;

Was taken up. Mr. Englesby moved to amend by striking out all after the enacting clause, and substituting the following:

SEC. 1. When it shall be made to appear to the probate court that it would be beneficial to the widow and children of any deceased person who are interested in the homestead estate, vested in them by the operation of the homestead act, or when it shall be made to appear that a severance of such homestead would greatly depreciate the value of the residue of the premises, or would be of great inconvenience to the parties interested either in such residue or in such homestead, the probate court may, on application of either party, order the same to be sold in the same manner and under the same regulations as are provided in the case of the sale of real estate for the payment of debts.

SEC. 2. If such homestead shall be sold, as provided in the preceding section, the probate court may control the investment of the proceeds of such sale in a new homestead, or their payment out of court, as in cases of the funds of married women;

Which was agreed to; and, on the motion of Mr. Wood, said bill was

*Ordered* to lie.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled "Of offences against public policy";

Reported the same, recommending that sections two, three and four be stricken out, and section five be numbered section two;

Which was agreed to; and the bill, as amended, was

*Ordered* to be engrossed, and read the third time to-morrow morning.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the

House have considered Senate proposal of amendment to House bill entitled

H. 41. An act repealing sections fifth, sixth and seventh of chapter sixty-nine of the General Statutes;

And have adopted the same in concurrence.

House bill entitled

H. 64. An act granting certain rights to the proprietors of the Lyme Bridge Company;

Was read the third time, and passed in concurrence.

Engrossed bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four, chapter twenty-eight, of the General Statutes;

Was read the third time; and, on the motion of Mr. Englesby, *Ordered* to lie.

Engrossed bill entitled

S. 30. An act to incorporate the Mendon Marble Company;

Was read the third time.

Mr. Nichols, from the Committee on Military Affairs, introduced a bill entitled

S. 42. An act for organizing the militia;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 159. An act to amend section one of an act incorporating the Underhill Center Hotel Company;

Reported in favor of its passage; and the bill was

*Ordered* to be read the third time.

Mr. Reed, from the Committee on Printing to whom was referred bills entitled

S. 38. An act defining who shall be voters in town, city, village and school district meetings;

S. 41. An act in amendment of section thirty-three, chapter fifteen of the General Statutes, entitled "Of towns, town meetings, and town officers;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills; thereupon they were *Ordered* to lie and be printed.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 42. An act for organizing the militia;

Reported the same, recommending the printing of four hundred and fifty copies; and said bill was

*Ordered*. to lie and be printed.

On the motion of Mr. Kellam, the Senate adjourned.

## AFTERNOON.

Mr. Williams, from the Committee on Manufactures to whom was referred House bill entitled

H. 86. An act to incorporate the Salisbury Marble Company;

Reported the same, recommending that it be amended by striking out in section one, line eleven, after the words "at pleasure," the words "may have perpetual succession";

Which was agreed to; and thereupon the bill was read the third time, and passed in concurrence, with a proposal of amendment.

Mr. Williams, from the Committee on Manufactures to whom was referred House bill entitled

H. 128. An act to incorporate the Cedar Hill Marble Company;

Reported the same, recommending that the bill be amended in section one, line ten, by striking out after the words "at pleasure," the words, "may have perpetual succession";

Which was agreed to; and the bill was read the third time, and passed in concurrence, with a proposal of amendment.

Mr. Tabor introduced a bill entitled

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks;

Which was read the first and second time, and referred to the Committee on Printing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 133. An act in addition to chapter one hundred and twenty of the General Statutes, entitled "Of general provisions concerning crimes and punishments";

H. 168. An act to incorporate the Central Vermont Musical Association;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 133. An act in addition to chapter one hundred and twenty of the General Statutes, entitled "Of general provisions concerning crimes and punishments";

To the Committee on the Judiciary.

H. 168. An act to incorporate the Central Vermont Musical Association ;

To the Committee on Education.

Mr. Reed introduced a bill entitled

S. 44. An act providing for printing the reports of certain State officers ;

Which was read the first and second time, and referred to the Committee on Printing.

Senate bill entitled

S. 42. An act for organizing the militia ;

Was taken up, and, on motion of Mr. Nichols, was

*Ordered* to lie.

On the motion of Mr. Nichols, the joint resolution giving certain books to H. W. Johnson; Esq., and expressing cordial wishes for his success,

Was taken up ; and the question being, Will the Senate concur in the adoption of the resolution, with proposals of amendment ? it was decided in the negative.

A message was received from the House of Representatives, by Mr. Houghton; their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed a bill, originating in the House, of the following title :

H. 22. An act to incorporate the Essex County Railroad Company.

Mr. Nichols introduced the following joint resolution :

*Resolved by the Senate and House of Representatives, That the trustees of the State Library are instructed to donate to the college in Liberia such books and documents as can be spared without injury to the Library, and that H. W. Johnson, Esq., be appointed the agent to make such presentation to said college ;*

Which was read. Mr. Hutchinson moved to strike out the word "instructed," and insert in lieu thereof the word "authorized" ; which was agreed to.

The question being, Will the Senate adopt the resolution ? it was decided in the negative.

A message was received from the House, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill of the following title :

H. 68. An act to pay General P. T. Washburn for his services as Adjutant and Inspector General ;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 68. An act to pay General P. T. Washburn for his services as Adjutant and Inspector General ;

Was read the first and second time, and referred to the Committee on Claims.

Mr. Reed, from the Committee on Printing to whom were referred bills entitled

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks ;

S. 44. An act providing for printing the reports of certain State officers ;

Reported the same, and recommended the printing of three hundred and fifty copies ; thereupon said bills were

*Ordered* to lie and be printed.

On motion of Mr. Bottum, the Senate adjourned.

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## THURSDAY, NOVEMBER 3, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Engrossed bills of the following titles were severally read the third time and passed :

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled "Of offences against public policy" ;

S. 9. An act providing for the recording of marriages contracted by residents of this State, solemnized out of this State ;

S. 39. An act to incorporate the Poultney Hotel Company.

**House bill entitled**

H. 159. An act to amend section one of an act incorporating the Underhill Center Hotel Company ;

Was read the third time, and passed in concurrence.

Senate bills of the following titles, having been printed, were taken up and referred, viz :

S. 38. An act defining who shall be voters in town, city, village and school district meetings ;

S. 41. An act in amendment of section thirty-three, chapter fifteen, of the General Statutes, entitled " Of towns, town meetings, and town officers ;

To the Committee on the Judiciary.

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks ;

To the General Committee.

S. 44. An act providing for printing the reports of certain State officers ;

To the Committee on Printing.

Mr. Nichols introduced a bill entitled

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

On the motion of Mr. Nichols the Senate resolved itself into a Committee of the Whole for the consideration of a bill entitled

S. 42. An act for organizing the militia.

After some time spent therein the committee rose, and the President *pro tempore* took the chair.

Mr. Henry, chairman of said committee, reported progress, and asked leave to sit again at two and one half o'clock on Friday afternoon.

Mr. Wood moved to amend the report of the committee by striking out the words " Friday afternoon," and insert the words " this afternoon," which was agreed to, and the leave asked was granted.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed a bill, originating in the House, of the following title :

H. 155. An act relating to vagrants.

The House have considered Senate proposals of amendment to House bills entitled

H. 16. An act to provide for taking affidavits, depositions and acknowledgments of deeds of persons in the service of the United States;

H. 86. An act to incorporate the Salisbury Marble Company;

H. 128. An act to incorporate the Cedar Hill Marble Company;

And have concurred therein.

The House have passed bills of the following titles :

H. 105. An act to amend section twenty of chapter twenty-two of the General Statutes, relating to school districts ;

H. 118. An act for the preservation of fish in the waters of Lake Champlain within five miles of Sand Bar Bridge ;

H. 135. An act to pay James A. Pollard the sum therein mentioned ;

H. 145. An act to incorporate the Windsor Manufacturing Company ;

H. 153. An act to incorporate the Northern Union Express Company ;

H. 172. An act to incorporate the International Express Company ;

H. 179. An act to incorporate the Essex Lumber Company ;

H. 185. An act to incorporate the Allen Kerosene Oil Can Company ;

In the passage of which the concurrence of the Senate is requested.

On the motion of Mr. Chapman, the Senate adjourned.

## AFTERNOON.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 4. An act to incorporate the Fairfax Railroad Company ;

H. 101. An act in amendment of chapter one hundred and two of the General Statutes, in relation to fences ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 4. An act to incorporate the Fairfax Railroad Company ;  
To the Committee on Roads.

H. 101. An act in amendment of chapter one hundred and  
two of the General Statutes, in relation to fences ;  
To the Committee on Agriculture.

Mr. Dana, from the Committee on Claims to whom was referred so much of the Governor's message as relates to the Soldiers' National Cemetery at Gettysburg, Pennsylvania, reported a bill entitled

S. 46. An act authorizing the Governor to appropriate money to pay the proportion of expenses due from the State of Vermont in establishing and completing the Soldiers' National Cemetery at Gettysburg, Pennsylvania ;

Which was read the first and second time, and

Ordered to be engrossed, and read the third time to-morrow afternoon.

Mr. Dana, from the Committee on Claims to whom was referred House bill entitled

H. 68. An act to pay General P. T. Washburn for services as Adjutant and Inspector General ;

Reported in favor its passage ; thereupon said bill was read the third time, and passed in concurrence.

Mr. Clark, from the Committee on Finance to whom was referred House bill entitled

H. 147. An act to legalize the grand list of the town of Tops-  
ham ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Abbott, from the General Committee to whom was referred House bill entitled

H. 48. An act requiring notaries public to pay the county clerk recording fees ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted a joint resolution relating to the sale of the Legislative Manual,

In the adoption of which the concurrence of the Senate is requested.

Mr. Clark, from the Committee on Banks to whom was referred a bill entitled

S. 15. An act extending the charter of the Stark Bank ;



Reported the same, recommending its passage ; and thereupon said bill was

*Ordered* to be engrossed, and read the third time.

Mr. Barrett, from the Committee on Education to whom was referred a bill entitled

S. 40. An act to incorporate the Poultney Normal Institute ; Reported in favor of its passage ; and thereupon said bill was *Ordered* to be engrossed, and read the third time.

Mr. Henry, from the Committee on Banks to whom was referred a bill entitled

S. 34. An act in relation to real estate owned by banks ;

Reported adversely to its passage ; and thereupon the engrossment and third reading of said bill was refused.

House bill entitled

H. 95. An act to incorporate the First Methodist Episcopal Legal Society of Middlebury ;

Was read the first and second time, and referred to the General Committee.

The Senate resolved itself into a Committee of the Whole for the further consideration of a bill entitled

S. 42. An act for organizing the militia.

After some time spent therein, the committee rose, and the President resumed the chair.

Mr. Henry, chairman of the committee, reported that the committee had completed the consideration of said bill, and recommended the adoption of certain amendments, which are as follows :

*First*, In section twenty-six, line thirty-nine, to insert after the word "furnish," the words "at the expense of the State."

*Second*, In section twenty-eight, line two, after the word "United," to insert the word "States" ;

Which were agreed to ; thereupon the bill was

*Ordered* to be engrossed and read the third time to-morrow afternoon.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted a joint resolution relating to a temporary adjournment,

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives*, That when the two Houses adjourn on Saturday next, they ad-

journal to meet on Wednesday next at ten o'clock in the forenoon;  
Which was read and adopted in concurrence.

A joint resolution from the House of Representatives:

*Resolved by the Senate and House of Representatives, That* the State Librarian be directed to confine the sale of the Legislative Directory and Manual to members only of the General Assembly, and officers thereof, and that the same be sold for thirty cents per copy;

Which was read and adopted in concurrence.

Mr. Pennock moved to reconsider the vote adopting the joint resolution from the House of Representatives, relating to a temporary adjournment;

Which was disagreed to—yeas 4, nays 16.

Mr. Chapman having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Chapman,  
Clark,

Kellam,

Richmond—4.

Those Senators who voted in the negative are Messrs.

Abbott,  
Barrett,  
Bottum,  
Clement,  
Cushman,  
Dana,

Fish,  
Flagg,  
Henry,  
Hobart,  
Pennock,

Reed,  
Rublee,  
Upham,  
Williams,  
Wood—16.

So the motion to reconsider was lost.

Mr. Wood moved that when the Senate adjourn, it adjourn to meet at nine o'clock to-morrow morning;

Which was agreed to.

House bills of the following titles, were severally read the first and second time, and referred, viz:

H. 118. An act for the preservation of fish in the waters of Lake Champlain, within five miles of Sand Bar Bridge;

H. 158. An act to incorporate the Northern Union Express Company;

H. 172. An act to incorporate the International Express Company;

To the General Committee.

H. 145. An act to incorporate the Windsor Manufacturing Company;

H. 179. An act to incorporate the Essex Lumber Company;

H. 185. An act to incorporate the Allen Kerosene Oil Can Company;

To the Committee on Manufactures.

H. 185. An act to pay James A. Pollard the sum therein mentioned;

To the Committee on Claims.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes;

Reported the same, recommending the printing of three hundred and fifty copies; and said bill was

*Ordered to lie and be printed.*

Mr. Kellam introduced the following joint resolution:

*Resolved by the Senate and House of Representatives, That in making up the debentures of the General Assembly, the Committee on Mileage and Debentures on the part of the House, and the Secretary of the Senate on the part of the Senate, be and they are hereby directed to deduct from the amount to be paid each representative and senator the sum of two dollars for each day when the senator or member has been absent from Montpelier, by reason of the adjournment of both bodies by joint resolution, during the present session;*

Which was read. And the question being, Will the Senate adopt the resolution? it was decided in the negative—yeas 11, nays 15.

Mr. Richmond having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Chapman,  
Clark,  
Fish,  
Henry,

Hutchinson,  
Kellam,  
Meacham,  
Nichols,

Richmond,  
Tabor,  
Williams—11.

Those senators who voted in the negative are Messrs.

Abbott,  
Barrett,  
Bottum,  
Clement,  
Crane,

Cushman,  
Dana,  
Flagg,  
Hobart,  
Hollister,

Pennock,  
Reed,  
Rublee,  
Upham,  
Wood—15.

So the resolution was lost.

Mr. Williams, for the Committee on Bills, made the following report:

The Committee on Bills have this day presented to his Excellency, the Governor, for his approval, the following bills:

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor";

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes;

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes;

S. 20. An act continuing the charter of the Bank of Poultney;

S. 26. An act to incorporate the Brandon Kaolin Paint Company;

S. 28. An act to incorporate the Brandon Silver Lead Company;

S. 29. An act to incorporate the Factory Point Boot and Shoe Company.

On the motion of Mr. Chapman, the Senate adjourned.

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FRIDAY, NOVEMBER 4, 1864.

Prayer by the Chaplain.

On the motion of Mr. Englesby, a call of the Senate was made, and the following named senators found absent: Messrs.

Allen,  
Barrett,  
Clark,  
Flagg,

Henry,  
Hollister,  
Kellam,  
Richmond,

Smith,  
Tabor,  
Williams,  
Wood.

Mr. Englesby moved that the Sergeant-at-Arms be directed to request the presence of the absent senators.

On the motion of Mr. Englesby, the further execution of the order was dispensed with.

The Journal of yesterday was read, corrected, and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 129. An act to amend section eighty-three of chapter twenty-two of the General Statutes, entitled "Common schools and school laws";

H. 177. An act in addition to section thirty-eight of chapter twenty of the General Statutes;

In the passage of which the concurrence of the Senate is requested.

Mr. Dana, from the Committee on Claims to whom was referred House bill entitled

H. 135. An act to pay James A. Pollard the sum therein mentioned;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 4. An act to incorporate the Fairfax Railroad Company ;

Reported in favor of its passage, and the bill was read the third time and passed.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 50. An act to provide for the repairs of houses of public worship ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles, were severally read the first and second time, and referred, viz :

H. 50. An act to provide for the repairs of houses of public worship ;

To the Committee on the Judiciary.

H. 105. An act to amend section twenty of chapter twenty-two of the General Statutes, relating to school districts ;

H. 129. An act to amend section eighty-three of chapter twenty-two of the General Statutes, entitled " Common schools and school laws " ;

To the Committee on Education.

H. 177. An act in addition to section thirty-eight of chapter twenty of the General Statutes ;

To the Committee on Finance.

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks ;

Reported in favor of its passage ; and thereupon said bill was *Ordered* to be engrossed, and read the third time on Thursday afternoon next.

Mr. Crane, from the Committee on Military Affairs to whom was referred House bill entitled

H. 40. An act to repeal an act entitled " An act to encourage volunteering," approved November 11, 1863 ;

Reported in favor of its passage ; and thereupon the bill was *Ordered* to be read the third time on Thursday afternoon next.

A bill entitled

S. 31. An act amending section twelve of chapter one hundred and twenty-six of the General Statutes;

Was taken up, being a special order at this time, considered, and, on the motion of Mr. Hutchinson, was

*Ordered* to lie, and be made the special order for eleven o'clock on Thursday morning next.

On motion of Mr. Crane, the Senate adjourned.

### AFTERNOON.

A message was received from the House, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 94. An act in amendment of section twelve of chapter seventy-two of the General Statutes, entitled "Guardians and wards";

H. 165. An act further defining the qualifications of voters in town meetings;

H. 151. An act relating to appeals from probate courts;

H. 109. An act to pay Mitchell C. Morey the sum therein named;

H. 166. An act to amend section thirty-four of chapter eighty-four of the General Statutes;

H. 139. An act authorizing the Governor to require the opinion of the judges of the supreme court in certain cases;

H. 141. An act laying a tax on the county of Caledonia;

H. 188. An act to authorize the towns of Fairfax, Georgia, Cambridge, Fletcher and Waterville, to raise money to build a railroad;

H. 200. An act to legalize the grand list of the town of Fairhaven;

H. 199. An act to legalize the grand list of the town of Poultney;

H. 206. An act prescribing the qualifications of electors in the State of Vermont;

H. 208. An act to pay for Gettysburg Cemetery, and provide commissioners therefor.

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes ;

H. 113. An act defining offenses against the Government, and providing for their punishment ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 4. An act relating to the bounty and pay of soldiers, and the support of their families ;

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second time, and referred, to wit :

H. 94. An act in amendment of section twelve of chapter seventy-two of the General Statutes, entitled "Guardians and wards" ;

H. 166. An act to amend section thirty-four of chapter eighty-four of the General Statutes ;

H. 139. An act authorizing the Governor to require the opinion of the judges of the supreme court in certain cases ;

H. 188. An act to authorize the towns of Fairfax, Georgia, Cambridge, Fletcher and Waterville, to raise money to build a railroad ;

H. 151. An act relating to appeals from probate courts ;  
To the Committee on the Judiciary.

H. 109. An act to pay Mitchell C. Morey the sum therein named ;

To the Committee on Claims.

H. 141. An act laying a tax on the county of Caledonia ;

On motion of Mr. Dana, was referred to a select committee consisting of the senators from the county of Caledonia.

H. 199. An act to legalize the grand list of the town of Poultney ;

H. 200. An act to legalize the grand list of the town of Fairhaven ;

To the Committee on Finance.

H. 206. An act prescribing the qualifications of electors in the State of Vermont ;

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes ;

H. 165. An act further defining the qualifications of voters in town meetings ;

To the Committee on Elections.

Mr. Abbott, from the Committee on Elections to whom was referred House bill entitled

H. 206. An act prescribing the qualifications of electors in the State of Vermont;

Reported the same, recommending that the Senate propose to the House to amend the bill by adding :

SEC. 2. This act shall take effect from its passage ;

Which was agreed to.

Mr. Henry moved that so much of the twenty-first rule as requires twenty-four hours to intervene between the first and third reading be suspended ;

Which was agreed to. The question being, Shall the bill be read the third time ? it was decided in the negative.

House bill entitled

H. 208. An act to pay for Gettysburg Cemetery, and provide commissioners therefor ;

Was read the first and second time, and referred to the Committee on Claims.

Engrossed bill entitled

S. 46. An act authorizing the Governor to appropriate money to pay the proportion of expenses due from the State of Vermont in establishing and completing the Soldiers' National Cemetery at Gettysburg, Pennsylvania ;

Was read the third time, and, on motion of Mr. Chapman, was Ordered to lie.

Engrossed bills of the following titles were severally read the third time, and passed :

S. 15. An act extending the charter of the Stark Bank ;

S. 40. An act to incorporate the Poultney Normal Institute.

Engrossed bill entitled

S. 42. An act for organizing the militia ;

Was taken up, the third reading having been ordered for this time ; and, on the motion of Mr. Henry, was

Ordered to lie, and made the special order for Thursday morning next.

Mr. Clark, from the Committee on Finance to whom was referred House bill entitled

H. 177. An act in addition to section thirty-eight of chapter twenty of the General Statutes ;

Reported, in favor of its passage ; and the bill was

Ordered to be read the third time on Thursday afternoon next.

On the motion of Mr. Fish, the Senate adjourned.



SATURDAY, NOVEMBER 5, 1864.

Prayer by the Chaplain.

No quorum being present, on the motion of Mr. Upham, the Senate adjourned.

AFTERNOON.

No quorum being present, on the motion of Mr. Wallace, the Senate adjourned.

WEDNESDAY, NOVEMBER 9, 1864.

Prayer by the Chaplain.

No quorum being present, on the motion of Mr. Crane, the Senate adjourned.

AFTERNOON.

No quorum being present, on the motion of Mr. Hutchinson, the Senate adjourned.

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THURSDAY, NOVEMBER 10, 1864.

Prayer by the Chaplain.

Journals of Friday, Saturday and Wednesday were read and approved.

Mr. Clark introduced a bill entitled

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes;

Which was read the first and second time, and referred to the Committee on Printing.

A bill entitled

S. 45. An act in amendment of section twenty-four of chapter twenty-six of the General Statutes;

Having been printed, was taken up and referred to the Committee on the Judiciary.

Mr. Crane introduced a bill entitled

S. 48. An act to pay John B. Holmberg the sum therein mentioned ;

Which was read the first and second time, and referred to the Committee on Claims.

Mr. Nichols introduced a bill entitled

S. 49. An act providing for a general index of the records of the probate court ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Chapman introduced the following resolution, which was read and adopted :

*Resolved*, That the Committee on Banks be and they are hereby instructed to inquire and report to the Senate if there is any further legislation demanded by this State to authorize the Bank Commissioner to examine and report the condition of corporations or associations doing business as banks or bankers in this State.

Mr. Flagg introduced a bill entitled

S. 50. An act in addition to chapter eighty-nine of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Clark introduced a bill entitled

S. 51. An act in amendment of an act to incorporate the Poultney Slate Company ;

Which was read the first and second time, and referred to the General Committee.

Mr. Dana introduced a bill entitled

S. 52. An act in addition to an act to incorporate the village of St. Johnsbury ;

Which was read the first and second time, and on motion of Mr. Dana, was referred to the Committee on the Judiciary.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 44. An act providing for printing the reports of certain State officers ;

Reported in favor of its passage, and the bill was

*Ordered* to be engrossed, and read the third time to-morrow afternoon.

Mr. Chapman, from the Committee on Finance to whom was referred House bills entitled

H. 199. An act to legalize the grand list of the town of Poultney ;

H. 200. An act legalizing the grand list of the town of Fairhaven;

Reported in favor of their passage; thereupon said bills were severally read the third time, and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 27. An act relating to the service of trustee process;

Reported adversely to its passage; and, on motion of Mr. Hutchinson, it was

*Ordered to lie.*

Senate bill entitled

S. 42. An act for organizing the militia;

Was taken up, being the special order for this time; and, on motion of Mr. Chapman, was

*Ordered to lie, and be made the special order at eleven o'clock to-morrow morning.*

A bill entitled

S. 31. An act amending section twelve of chapter one hundred and twenty-six of the General Statutes;

Being the special order for this time, was taken up, considered, and, on motion of Mr. Hutchinson, was indefinitely postponed—yeas 14, nays 10.

Mr. Clark having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Abbott,  
Clement,  
Cushman,  
Flagg,  
Henry,

Hutchinson,  
Kellam,  
Meacham,  
Reed,  
Smith,

Tabor,  
Wallace,  
Williams,  
Wood—14.

Those senators who voted in the negative are Messrs.

Bottum,  
Clark,  
Crane,  
Englesby,

Fish,  
Hobart,  
Nichols,

Pennock,  
Richmond,  
Upham—10.

So the bill was indefinitely postponed.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 3. An act in amendment of section nineteen of chapter thirty-three of the General Statutes, entitled "Of process and other matters";

Reported adversely to its passage; and thereupon the engrossment and third reading of said bill was refused.

Mr. Crane introduced a bill entitled

S. 53. An act to incorporate the Richmond Hotel Company; Which was read the first and second time, and referred to the General Committee.

On the motion of Mr. Cushman, the Senate adjourned.

## AFTERNOON.

Mr. Flagg, from the Committee on the Judiciary to whom was referred House bill entitled

H. 166. An act to amend section thirty-four of chapter eighty-four of the General Statutes;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

Mr. Flagg, from the Committee on the Judiciary to whom was referred a bill entitled

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled "Of the limitations of real and personal actions, and rights of entry";

Reported the same without an expression of opinion, and the bill was

*Ordered* to be engrossed, and read the third time to-morrow afternoon.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 18. An act to incorporate the Bennington and Glastenbury Railroad, Mining and Manufacturing Company;

And have passed the same in concurrence.

Mr. Kellam, from the Committee on Elections to whom was referred House bill entitled

H. 165. An act further defining the qualifications of voters in town meetings;

Reported adversely to its passage; and thereupon the third reading of said bill was refused.

Mr. Richmond, from the Committee on Agriculture to whom was referred House bill entitled

H. 101. An act in amendment of chapter one hundred and two of the General Statutes, in relation to fences;

Reported in favor of its passage; and the bill was read the third time, and concurrence refused.

Mr. Abbott, from the select committee to whom was referred House bill entitled

H. 141. An act laying a tax on the county of Caledonia;

Reported in favor of its passage ; thereupon said bill was read the third time, and passed in concurrence.

Mr. Pennock, from the Committee on Claims to whom was referred House bill entitled

H. 109. An act to pay Mitchell C. Morey the sum therein named ;

Reported in favor of its passage ; and, on the motion of Mr. Chapman, it was

*Ordered* to lie.

Mr. Wallace, from the Committee on Claims to whom was referred a bill entitled

S. 48. An act to pay John B. Holmberg the sum therein mentioned ;

Reported adversely to its passage ; and thereupon the engrossment and third reading of said bill was refused.

On the motion of Mr. Williams, the vote indefinitely postponing a bill entitled

S. 31. An act amending section twelve, chapter one hundred twenty-six, of the General Statutes ;

Was reconsidered.

Mr. Williams moved to amend by striking out all after the words " as follows," in section one, line three, and adding the words " The annual salaries of the judges of probate, in the district of Lamoille shall be four hundred and fifty dollars ; in the district of Rutland eight hundred and fifty dollars."

Mr. Reed moved to amend the amendment by adding : " In the district of Washington nine hundred and fifty dollars ; "

Which was considered, and by unanimous consent withdrawn.

Mr. Reed moved to amend the proposed amendment by striking out the word " fifty " ; which was agreed to ; and the amendment, as amended, was adopted ; and the bill, as amended, was

*Ordered* to be engrossed, and read the third time to-morrow morning.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill entitled

H. 14. An act repealing an act therein mentioned ;

In the passage of which the concurrence of the Senate is requested.

Engrossed bill entitled

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks ;

Was read the third time and passed.

**House bills entitled**

H. 40. An act to repeal an act entitled "An act to encourage volunteering," approved November 11, 1863;

H. 177. An act in addition to section thirty-eight of chapter twenty of the General Statutes;

Were severally read the third time, and passed in concurrence.

**House bill entitled**

H. 14. An act repealing an act therein mentioned;

Was read the first and second time, and referred to the Committee on Education.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 153. An act to incorporate the Northern Union Express Company;

Reported the same, recommending that the Senate propose to the House to amend by adding a section to be numbered section nine, as follows:

Sec. 9. This act shall be subject to the General Statutes of this State relative to corporations, and shall be under the control of the Legislature to alter, amend or repeal, as the public good may require.

That section nine be numbered section ten;

Which was agreed to; and the bill was read the third time, and passed in concurrence, with a proposal of amendment.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 172. An act to incorporate the International Express Company;

Reported in favor of its passage; and thereupon the bill was read the third time, and, on the motion of Mr. Nichols, was

*Ordered to lie.*

On the motion of Mr. Nichols, the votes ordering the third reading and passage of House bill entitled

H. 153. An act to incorporate the Northern Union Express Company;

Were reconsidered; and the bill was

*Ordered to lie.*

On the motion of Mr. Wallace, the vote refusing the engrossment and third reading of a bill entitled

S. 48. An act to pay John B. Holmberg the sum therein mentioned;

Was reconsidered; and, on motion of Mr. Wallace, said bill was re-committed to the Committee on Claims.

Mr. Reed, from the Committee on Printing to whom was referred bills entitled

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes;

S. 49. An act providing for a general index of the records of the probate court;

S. 50. An act in addition to chapter eighty-nine of the General Statutes;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills; and they were

*Ordered* to lie and be printed.

Mr. Tabor presented a petition of the selectmen of the town of Concord relating to the grand list;

Which was referred to the Committee on Claims.

Mr. Tabor introduced a bill entitled

S. 54. An act to pay the town of Concord the sum therein mentioned;

Which was read the first and second time, and referred to the Committee on Claims.

On the motion of Mr. Nichols, House bill entitled

H. 153. An act to incorporate the Northern Union Express Company;

Was taken up. Mr. Clark moved to propose to the House to amend section one by adding the following: "And shall have power to contract for the transportation of and to transport property from place to place, and may make and carry into effect contracts, deeds and arrangements for the purpose of providing the means of such transportation as they shall see fit";

Which was agreed to, and the bill was read a third time and passed in concurrence, with a proposal of amendment.

On the motion of Mr. Nichols, House bill entitled

H. 172. An act to incorporate the International Express Company;

Was taken up, and passed in concurrence.

On the motion of Mr. Wallace, the Senate adjourned.



FRIDAY, NOVEMBER 11, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 205. An act to determine the rights and powers of any corporation hereafter to be formed by the owners and holders of the first mortgage bonds of the Western Vermont Railroad Company ;

H. 217. An act in addition to chapter one hundred and twenty-six of the General Statutes ;

In the passage of which the concurrence of the Senate is requested.

Mr. Englesby, from the Committee on the Judiciary to whom was referred a bill entitled

S. 38. An act in addition to chapter thirty-six of the General Statutes, entitled " Of depositions and witnesses " ;

Reported in favor of its passage ; and the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 139. An act authorizing the Governor to require the opinion of the judges of the supreme court in certain cases ;

Reported in favor of the passage of the same ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Englesby, from the Committee on the Judiciary to whom was referred a bill entitled

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes ;

Reported the same, recommending its passage ; and thereupon the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 38. An act to prevent unreasonable delays in the trial of suits at law ;

Reported adversely to the passage of the same ; and thereupon the third reading of said bill was refused.

Mr. Englesby, from the Committee on the Judiciary to whom was referred a bill entitled

S. 41. An act in amendment of section thirty-three, chapter fifteen, of the General Statutes, entitled " Of towns, town meetings, and town officers ;

Reported, for a majority of the committee, adversely to the passage of the bill. The question being, Shall the bill be engrossed and read the third time? it was decided in the affirmative—yeas 13, nays 12.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Barrett,  
Bottum,  
Clark,  
Clement,  
Flagg,

Hollister,  
Hutchinson,  
Kellam,  
Pennock,

Richmond,  
Smith,  
Williams,  
Wood—13.

Those senators who voted in the negative are Messrs.

Abbott,  
Chapman,  
Crane,  
Cushman,

Dana,  
Englesby,  
Fish,  
Hobart,

Reed,  
Rublee,  
Upham,  
Wallace—12.

So the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution upon the subject of sea fish,

In the adoption of which the concurrence of the Senate is requested.

House bill entitled

H. 217. An act in addition to chapter one hundred and twenty-six of the General Statutes ;

Was read the first and second time, and referred to the Committee on Finance.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered the Senate proposals of amendment to House bill entitled

H. 153. An act incorporating the Northern Union Express Company :

And have adopted the same in concurrence.

House bill entitled

H. 205. An act to determine the rights and powers of any corporation hereafter to be formed by the owners and holders of the first mortgage bonds of the Western Vermont Railroad Company ;

Was read the first and second time, and referred to the Committee on Roads.

On the motion of Mr. Penneck, House bill entitled

H. 109. An act to pay Mitchell C. Morey the sum therein named ;

Was taken up, considered, and

*Ordered* to be read the third time to-morrow morning.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives of the State of Vermont, in General Assembly convened*, That his Excellency, the Governor, be and is hereby authorized and requested to co-operate with the Governors of Massachusetts, Connecticut, Maine and New Hampshire, or with either or any of them, or with any committee, commissioners or agents of said States, in such a manner as he may deem proper to promote such measures as he may judge expedient to overcome or remove any obstructions which prevent salmon, shad and other migratory sea fish from occupying the rivers and lakes in this and the other said States, thereby furnishing, as formerly, a supply of wholesome and agreeable food for the inhabitants of this State.

*Resolved*, That his Excellency, the Governor, is hereby requested to transmit copies of these resolutions to the Governors of the several States above named ;

Which was read the first and second time, and referred to the General Committee.

Engrossed bill entitled

S. 42. An act for organizing the militia ;

Was taken up, being the special order for this time. Mr. Henry moved to amend title two—"organization"—by striking out section four, and substituting the following :

SEC. 4. The organization of the militia into divisions, brigades, regiments, squadrons and companies, shall be conformed to the provisions of the laws of the United States, and subject to such laws. The Commander-in-Chief may arrange, alter, divide, annex and consolidate the divisions, brigades, regiments, squadrons and companies, in such manner as in his opinion the

proper organization of the same shall require ; *provided*, always, that each division and sub-division shall be composed of contiguous territories ;

Pending which, on the motion of Mr. Hollister, the Senate adjourned.

### AFTERNOON.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 19. An act to authorize towns to prepare and publish a soldiers' record ;

And passed the same in concurrence.

The House have passed a bill of the following title :

H. 204. An act regulating railroad corporations in certain cases ;

In the passage of which the concurrence of the Senate is requested.

Mr. Flagg, from the Committee on the Judiciary to whom was referred House bill entitled

H. 183. An act in addition to chapter one hundred and twenty of the General Statutes, entitled " Of general provisions concerning crimes and punishments " ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Smith, from the Committee on Education to whom was referred House bill entitled

H. 27. An act to repeal a part of section fifty, chapter twenty-two, of the General Statutes, and to amend the remainder ;

Reported in favor of the passage of the same ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Smith, from the Committee on Education to whom was referred House bill entitled

H. 168. An act to incorporate the Central Vermont Musical Association ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

Mr. Henry, from the Committee on Banks to whom was referred a bill entitled

S. 36. An act increasing the capital stock of the Lamoille County Bank ;

Reported in favor of its passage ; and thereupon said bill was *Ordered* to be engrossed, and read the third time.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 95. An act to incorporate the First Methodist Episcopal Legal Society of Middlebury ;

Reported in favor of its passage ; and thereupon the bill was read the third time and passed in concurrence.

Mr. Williams, from the Committee on Elections to whom was referred House bill entitled

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes ;

Reported the same, without an expression of opinion ; and, on motion of Mr. Nichols, it was

*Ordered* to lie.

Mr. Barrett, from the Committee on Education to whom was referred House bill entitled

H. 88. An act in amendment of sections eighty-three and one hundred and ten of chapter twenty-two of the General Statutes, relating to common schools and school laws ;

Reported in favor of its passage ; and thereupon the bill was read the third time and passed in concurrence.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 205. An act to determine the rights and powers of any corporation hereafter to be formed by the owners and holders of the first mortgage bonds of the Western Vermont Railroad Company ;

Reported in favor of its passage ; and thereupon the bill was *Ordered* to be read the third time to-morrow morning.

Mr. Chapman introduced a bill entitled

S. 55. An act to pay Silas Warren for services and expenses in arresting and bringing to punishment certain criminals therein named ;

Which was read the first and second time, and referred to the Committee on Claims.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 30. An act to incorporate the Mendon Marble Company; And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed House bill entitled

H. 191. An act to incorporate the Eastern Vermont Railroad Company;

In the passage of which the concurrence of the Senate is requested.

Engrossed bills of the following titles were severally read the third time, and passed:

S. 31. An act amending section twelve, chapter one hundred twenty-six, of the General Statutes;

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled "Of the limitations of real and personal actions, and rights of entry";

S. 44. An act providing for printing the reports of certain State officers.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to request the Senate to return to the possession of the House, House bill entitled

H. 14. An act repealing an act therein mentioned.

Agreeably to the request of the House the Senate voted to return said bill to the possession of the House.

Engrossed Senate bill

S. 30. An act to incorporate the Mendon Marble Company;

Was taken up, and the following proposals of amendment from the House were agreed to:

*First.* In section two, line twenty, to strike out all after the word "company," and insert in lieu thereof the words, "And if at any time the indebtedness of said company shall exceed three-fourths of the capital actually paid in, the stockholders and directors shall be personally holden to the creditors of said corporation for such excess."

*Second.* To add to section two the following words: "and shall be subject to the provisions of chapter eighty-six of the General Statutes, entitled 'Of private corporations.'"

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 39. An act to incorporate the Poultney Hotel Company ;  
And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 9. An act providing for the recording of marriages contracted by residents of this State, solemnized without this State ;  
And do not concur in the passage thereof.

House bills of the following titles, were severally read the first and second time, and referred, viz :

H. 204. An act regulating railroad corporations in certain cases ;

H. 191. An act to incorporate the Eastern Vermont Railroad Company ;

To the Committee on Roads.

Senate bill entitled

S. 42. An act for organizing the militia ;

Was taken up, as unfinished business. The pending question being, Will the Senate agree to the amendment proposed by Mr. Henry ? it was decided in the negative—yeas 12, nays 16.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
Barrett,  
Chapman,  
Cushman,

Flagg,  
Henry,  
Hobart,  
Hollister,

Hutchinson,  
Meacham,  
Wallace,  
Williams—12.

Those senators who voted in the negative are Messrs.

Bottam,  
Clark,  
Clement,  
Crane,  
Dana,  
Fish,

Kellam,  
Nichols,  
Pennock,  
Reed,  
Richmond,

Ruble,  
Smith,  
Tabor,  
Upham,  
Wood—16.

So the amendment was lost.

Mr. Pennock moved to amend in section twenty-six, between lines fifteen and sixteen, by inserting the following: " And the Commander-in-Chief may, in his discretion, detail from the organized militia such officers and men as he may deem necessary, and from the officers and men so detailed from such provisional companies, battalions or regiments, as he may deem necessary at any time, and may put such provisional companies, battalions, or regiments into such camp or camps of instruction, or assign them to such garrison or guard duty, as in his judgment the interest of the State shall require, and may continue such provisional organization for such period as may be necessary ; and the officers and men so detailed shall be borne on the rolls and returns of the several commands of the organized militia to which they may belong, as on detached service, and at the expiration of

such provisional service shall be returned to the several commands to which they shall respectively belong ; and the men so detailed shall be subject to the same rules and regulations as are herein provided for the organized bodies called into such service " ; which was not agreed to.

Mr. Tabor moved to amend in section four, line six, by striking out the words, " The regiments in each congressional district shall constitute one brigade, and the whole shall constitute one division " ; which was agreed to.

Mr. Tabor moved to further amend in section four, line ten, by striking out the word " congressional " ; which was not agreed to.

Mr. Nichols moved to amend section four, line six, by inserting after the word " prescribe," the words, " The regiments shall constitute three brigades, and the whole shall constitute one division " ; which was agreed to.

Mr. Reed moved to amend in section four, line two, by striking out the word " twelve," and insert in lieu thereof the word " nine."

On motion of Mr. Dana, the bill and pending amendment were *Ordered* to lie, and be made the special order at ten and one-half o'clock to-morrow morning.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill of the following title :

H. 223. An act restoring John T. Collins to his legal rights and privileges ;

In the passage of which the concurrence of the Senate is requested.

On motion of Mr. Tabor, the Senate adjourned.



## SATURDAY, NOVEMBER 12, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Chapman introduced a bill entitled

S. 56. An act to incorporate the Rochester Soap Stone Company ;

Which was read the first and second time, and referred to the Committee on Manufactures.

Bills of the following titles, having been printed, were taken up, and referred, viz :

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes ;

S. 49. An act providing for a general index of the records of the probate court ;

S. 50. An act in addition to chapter eighty-nine of the General Statutes ;

To the Committee on the Judiciary.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 191. An act to incorporate the Eastern Vermont Railroad Company ;

Reported in favor of its passage ; and thereupon the bill was read the third time, and passed in concurrence.

House bill entitled

H. 228. An act restoring John T. Collins to his legal rights and privileges ;

Was read the first and second time, and referred to the Committee on the Judiciary.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 38. An act defining who shall be voters in town, city, village and school district meetings ;

Reported the same, recommending that the bill be amended by striking out all of section two, and substituting in lieu thereof the following :

SEC. 2. The word citizen, as used in this act, shall be construed to mean a person born within this or some one of the United States, or naturalized agreeably to the acts of Congress, or a person who became a freeman of this State, by virtue of the laws in force before June 26, 1828 ;

Which was agreed to ; and the bill, as amended, was  
*Ordered* to be engrossed, and read the third time on Monday morning next.

Senate bill entitled

S. 42. An act for organizing the militia ;

Was taken up, being the special order at this time. Mr. Reed, by unanimous consent, withdrew the pending amendment offered yesterday afternoon.

Mr. Reed moved to further amend the bill by striking out section thirty-two ; which was not agreed to—yeas 10, nays 19.

Mr. Richmond having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Barrett,  
 Chapman,  
 Cushman,  
 Fish,

Flagg,  
 Henry,  
 Hollister,

Hutchinson,  
 Reed,  
 Wallace—10.

Those senators who voted in the negative are Messrs.

Abbott,  
 Bottum,  
 Clark,  
 Clement,  
 Crane,  
 Dana,  
 Englesby,

Hobart,  
 Kellam,  
 Meacham,  
 Nichols,  
 Pennock,  
 Richmond,

Rutlee,  
 Smith,  
 Tabor,  
 Upham,  
 William\*,  
 Wood—19.

So the amendment was lost.

Mr. Henry moved to strike out section thirty-three of the bill, Pending which, on motion of Mr. Dana, the Senate adjourned.

## AFTERNOON.

Mr. Hollister, from the Committee on Roads to whom was referred House bill entitled

H. 204. An act regulating railroad corporations in certain cases ;

Reported in favor of its passage ; and thereupon the bill was  
*Ordered* to be read the third time on Monday morning next.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 223. An act restoring John T. Collins to his legal rights and privileges ;

Reported the same, asking to be discharged from its consid-

eration. The discharge asked was granted, and the bill referred to the General Committee.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes;

Reported the same, recommending that the Senate propose to the House to amend by striking out section one, and inserting in lieu thereof the following :

SEC. 1. Section thirty-nine of chapter one hundred and thirteen is hereby amended by striking out from the ninth line of said section the words "and clandestinely" ;

Which was agreed ; and the bill was passed in concurrence, with a proposal of amendment.

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 53. An act to incorporate the Richmond Hotel Company ;

Reported in favor of its passage ; and thereupon the bill was

*Ordered* to be engrossed and read the third time.

Mr. Bottum, from the Committee on Manufactures to whom was referred a bill entitled

S. 56. An act to incorporate the Rochester Soap Stone Company ;

Reported the same, recommending that it be amended by inserting a new section, to be numbered section five, as follows :

SEC. 5. The company shall not at any time contract debts exceeding in amount three-fourths of its capital stock actually paid in, and if such indebtedness shall exceed that amount the stockholders and directors assenting thereto shall be personally holden to the creditors of the company for such excess ;

Which was agreed to ; and the bill, as amended, was

*Ordered* to be engrossed, and read the third time.

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 51. An act in amendment of an act to incorporate the Poultney Slate Company ;

Reported in favor of its passage ; and thereupon the bill was

*Ordered* to be engrossed, and read the third time.

House bills of the following titles were severally read the third time, and passed in concurrence :

H. 109. An act to pay Mitchell C. Morey the sum therein named ;

H. 205. An act to determine the rights and powers of any corporation hereafter to be formed by the owners and holders of

the first mortgage bonds of the Western Vermont Railroad Company.

Engrossed bills of the following titles were severally read the third time and passed :

S. 83. An act in addition to chapter thirty-six of the General Statutes, entitled " Of depositions and witnesses " ;

S. 86. An act increasing the capital stock of the Lamoille County Bank ;

S. 41. An act in amendment of section thirty-three, chapter fifteen, of the General Statutes, entitled " Of towns, town meetings, and town officers " ;

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed House bills of the following titles :

H. 115. An act in amendment of chapter eighteen of the General Statutes ;

H. 120. An act granting a ferry and wharf to Volney Rice ;

H. 186. An act to incorporate the Vermont Slate Manufacturing Company ;

H. 213. An act in amendment of sections fifteen and eighteen of chapter one hundred and twenty-three of the General Statutes ;

H. 219. An act to prevent raids ;

H. 220. An act to incorporate the First Congregational Society of Williamstown ;

H. 222. An act to incorporate the Woodstock Gold Mining Company ;

In the passage of which the concurrence of the Senate is requested.

Senate bill entitled

S. 42. An act for organizing the militia ;

Was taken up, as unfinished business of the morning session. The question being, Will the Senate strike out section thirty-three of the bill, as proposed by Mr. Henry ? Mr. Smith moved that the bill and pending amendment be

*Ordered* to lie, and be made the special order at three o'clock on Monday afternoon next ;

Which was not agreed to.

The question recurring, Will the Senate strike out section thirty-three of the bill ? it was decided in the affirmative—yeas 14, nays 11.

Mr. Reed having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
 Barrett,  
 Cushman,  
 Dana,  
 Englesby,

Flagg,  
 Henry,  
 Hobart,  
 Hollister,  
 Kellam,

Pennock,  
 Reed,  
 Upham,  
 Wallace—14.

Those senators who voted in the negative are Messrs.

Bottom,  
 Chapman,  
 Clark,  
 Clement,

Fish,  
 Nichols,  
 Richmond,  
 Rublee,

Smith,  
 Williams,  
 Wood—11.

So the amendment was adopted.

Mr. Smith moved to amend the bill by inserting the following section, to be numbered section thirty-three :

SEC. 33. The Commander-in-Chief is hereby directed to make application to the general government for such a number of caps and coats, of the pattern prescribed for the army service of the United States, as may be necessary to uniform the active militia provided for by this act. And in case they can be procured of the general government to be accounted for in final adjustment of the accounts between this State and the government, and of the distribution of the materials of war or army supplies among the States, then the Commander-in-Chief is directed to procure such caps and coats, and uniform the active militia herein provided for with such distinctive badge therefor as he may prescribe. And any member of any organization who shall wear any portion of any uniform so furnished by the State, when not in performance of military duty under orders received, shall have one dollar per day stopped against his pay for each day that he shall so wear such uniform, and he shall pay such further sum for any wilful injury or destruction of arms, equipments, uniform, or camp equipage, as shall be assessed by court martial.

Mr. Henry moved to amend said amendment by substituting the following :

SEC. 33. The Commander-in-Chief is directed to obtain of the general government, if it can be done free of expense to the State, a cap and coat for such non-commissioned officers, musicians and privates, and distribute them under such rules and regulations as he shall prescribe ;

Which was agreed to—yeas 14, nays 12.

Mr. Nichols having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
 Barrett,  
 Chapman,  
 Cushman,  
 Dana,

Englesby,  
 Flagg,  
 Henry,  
 Hobart,  
 Hollister,

Hutchinson,  
 Pennock,  
 Reed,  
 Wallace—14.

Those senators who voted in the negative are Messrs.

Bottum,  
Clark,  
Clement,  
Fish,

Kellam,  
Nichols,  
Richmond,  
Rublee,

Smith,  
Upham,  
Williams,  
Wood—12.

So the amendment to the amendment was agreed to; and the amendment, as amended, was adopted.

Mr. Englesby moved to further amend the bill by inserting in section two, line six, after the words "as such," the words "all engineers and pilots of steamboats, while actually engaged as such, which carry the United States mail"; which was agreed to.

Mr. Englesby moved to amend the bill by adding to section twenty-four the following proviso: "*Provided*, that members of fire companies to the number of forty in such companies as may be designated by the selectmen of the town or the common councilmen of the city where located, the names of the persons in each company for whom exemption is asked to be returned to the selectmen of the town, or the common councilmen of the city, by the clerk of the company on the first day of January in each year, shall not be required to be present at the drills and inspections required by the provisions of this act"; which was not agreed to.

Mr. Henry moved to amend the bill in section thirty-three, line eighth, by adding the words: "And any member of any organization who shall wear any portion of any uniform furnished by the State in accordance with the provisions of this section, when not in the performance of military duty, under orders received, shall have one dollar per day stopped against his pay for each day that he shall so wear such uniform; and he shall pay such further sum for any wilful injury or destruction of arms, equipments, uniform, or camp equipage, as shall be assessed by court martial; which was agreed to.

Mr. Dana moved to amend the bill by striking out the words in the first, second, third, fourth, fifth, sixth and seventh lines of section twenty-five, and the words "five days and" in the eighth line; also, to strike out the word "additional," and insert in lieu thereof, the word "such"; which was disagreed to.

Thereupon the said bill was

*Ordered* to be engrossed and read the third time; and being engrossed, was read the third time and passed.

On the motion of Mr. Hollister, the Senate adjourned.

MONDAY, NOVEMBER 14, 1864.

Prayer by the Chaplain.

Journal of Saturday was read and approved.

Mr. Chapman introduced a bill entitled

S. 57. An act relating to the distribution of the public documents;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Bottum introduced a bill entitled

S. 58. An act in amendment of chapter twenty-five of the General Statutes, in relation to the assessment and collection of highway taxes;

Which was read the first and second time, and referred to the Committee on Printing.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 213. An act in amendment of sections fifteen and eighteen of chapter one hundred and twenty-three of the General Statutes ;  
To the Committee on Finance.

H. 219. An act to prevent raids ;

To the Committee on the Judiciary.

H. 115. An act in amendment of chapter eighteen of the General Statutes ;

H. 222. An act to incorporate the Woodstock Gold Mining Company ;

H. 220. An act to incorporate the First Congregational Society of Williamstown ;

To the General Committee.

H. 120. An act granting a ferry and wharf to Volney Rice ;  
To the Committee on Roads.

H. 186. An act to incorporate the Vermont Slate Manufacturing Company ;

To the Committee on Manufactures.

Mr. Fish introduced the following resolution :

*Resolved*, That the Committee on Claims be and they are hereby instructed to inquire and report to the Senate whether any other or greater number of employees about the State House are required, or whether any other provisions should be made to protect the property of the State, or the private prop-

erty of the members of the General Assembly, from petty pilfering or depredations of light-fingered individuals;

Which was read and adopted.

House bill entitled

H. 204. An act regulating railroad corporations in certain cases;

Was read the third time, and passed in concurrence.

Engrossed bill entitled

S. 38. An act defining who shall be voters in town, city, village and school district meetings;

Was read the third time. Mr. Flagg moved that said bill be committed to a member to amend by adding section three, as follows:

SEC. 3. This act shall take effect from its passage.

The President *pro tempore* designated Senator Flagg as the member to whom the bill should be committed, under the instructions of the Senate.

Mr. Flagg reported said bill amended agreeably to the instructions of the Senate; thereupon the bill was passed.

Engrossed bills of the following titles were severally read the third time, and passed:

S. 51. An act in amendment of an act to incorporate the Poultney Slate Company;

S. 56. An act to incorporate the Rochester Soap Stone Company.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 174. An act granting State aid to the families of substitutes;

H. 178. An act to legalize the grand list of the town of St. Albans for the year 1864;

H. 189. An act to amend section thirty-two of chapter seventeen of the General Statutes;

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled "Of assessment and collection of taxes";

H. 196. An act to incorporate the Ascutney Railroad Company;

H. 224. An act in addition to chapter twenty-nine of the General Statutes, entitled "Of the court of chancery";

H. 229. An act to pay N. A. Zuill the sum therein mentioned;



H. 284. An act in addition to chapter one hundred and twenty-six of the General Statutes, entitled "Of salaries, fees, etc.";

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled "Of offences against public policy";

And have passed the same in concurrence.

The House have also adopted on their part a joint resolution relating to final adjournment,

In the adoption of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, to wit:

H. 174. An act granting State aid to the families of substitutes;

H. 178. An act to legalize the grand list of the town of St. Albans for the year 1864;

H. 189. An act to amend section thirty-two of chapter seventeen of the General Statutes;

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled "Of assessment and collection of taxes";

To the Committee on Finance.

H. 224. An act in addition to chapter twenty-nine of the General Statutes, entitled "Of the court of chancery";

H. 284. An act in addition to chapter one hundred and twenty-six of the General Statutes, entitled "Of salaries, fees, etc.";

To the Committee on the Judiciary.

H. 229. An act to pay N. A. Zuill the sum therein mentioned;

To the Committee on Claims.

A joint resolution from the House of Representatives:

*Resolved by the Senate and House of Representatives,*  
That the President of the Senate, and Speaker of the House, are respectfully requested to adjourn the same without date on Tuesday, November 22d inst., at three o'clock in the afternoon;

Which was read, and on motion of Mr. Nichols

*Ordered to lie.*

Mr. Fish, from the General Committee to whom was referred a joint resolution from the House of Representatives on the sub-

ject of sea fish. Reported in favor of its adoption; thereupon the resolution was read a third time and adopted in concurrence.

Mr. Dana offered the following motion:

*Resolved*, That the vote of the Senate, passing Senate bill No. 42, entitled "An act for organizing the militia," be and hereby is reconsidered.

On the motion of Mr. Crane the motion of Mr. Dana was *Ordered* to lie.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 52. An act in addition to an act to incorporate the village of St. Johnsbury;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed and read the third time.

Mr. Williams, from the Committee on Manufactures to whom was referred House bill entitled

H. 145. An act to incorporate the Windsor Manufacturing Company;

Reported the same, and recommended that the Senate propose to the House to amend section one, line thirteen, by striking out the words, "may have perpetual succession";

Which was agreed to; and thereupon the bill was read a third time, and passed in concurrence, with a proposal of amendment.

Mr. Williams, from the Committee on Manufactures to whom were referred House bills entitled

H. 185. An act to incorporate the Allen Kerosene Oil Can Company;

H. 179. An act to incorporate the Essex Lumber Company;

Reported in favor of the passage of the same; and thereupon said bills were severally read the third time, and passed in concurrence.

Mr. Reed introduced a bill entitled

S. 59. An act restricting the provisions of chapter sixty-one of the General Statutes;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 151. An act relating to appeals from probate courts;

Reported the same, recommending that the Senate propose to the House to amend in section one, line ten, by striking out all after the words "probate court," and inserting in lieu thereof the words, "and shall have the same effect as the affirmance of

the said proceedings by the county court"; which was agreed to; and thereupon said bill was

*Ordered* to be read the third time to-morrow morning.

On the motion of Mr. Nichols, House bill entitled

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes;

Was taken up. Mr. Henry moved that the Senate propose to the House to amend by adding a section to be numbered section nine, as follows:

SEC. 9. This act shall not apply to towns having less than three thousand and five hundred inhabitants, by the last United States census report.

On the motion of Mr. Flagg, the bill and pending amendment were

*Ordered* to lie.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S 57. An act relating to the distribution of public documents;

Reported adversely to the printing of the same; and thereupon the bill was referred to the General Committee.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 58. An act in amendment of chapter twenty-five of the General Statutes, in relation to the assessment and collection of highway taxes;

Reported the same, recommending the printing of three hundred and fifty copies; and said bill was

*Ordered* to lie and be printed.

On the motion of Mr. Chapman, the Senate adjourned.

## AFTERNOON.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 43. An act to legalize the grand list of the town of Troy for the year 1864;

Reported the same, recommending that the Senate propose to the House to amend by adding to section one the following:

"and all taxes assessed thereon are hereby declared to be legal and valid"; which was agreed to; thereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

On the motion of Mr. Nichols, House bill entitled

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes;

Was taken up. The question being, Will the Senate propose to the House to amend as proposed by Mr. Henry, Mr. Dana moved to amend the proposal of amendment by striking out the words "three thousand and five hundred," and inserting in lieu thereof the words, "four thousand"; which was agreed to; and the proposal of amendment, as amended, was adopted, and the bill was

*Ordered* to be read the third time to-morrow afternoon.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 126. An act to incorporate the Rutland Insurance Company;

Reported the same, recommending to propose to the House to amend section two, line after the word "each," by inserting the following proviso: "*Provided*, that no stockholder shall be liable to said corporation, and neither the members or said corporation shall in any event be liable beyond the amount of their said capital stock, for any losses whatever: but in case of fraud or violation of this charter, the person or persons guilty thereof shall be personally liable to said corporation, or to the insured, as the case may be";

Which was agreed to; and the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Dana, from the Committee on Claims to whom was referred House bill entitled

H. 208. An act to pay for Gettysburg Cemetery, and provide commissioners therefor;

Reported in favor of its passage; and thereupon said bill was *Ordered* to be read the third time to-morrow afternoon.

On the motion of Mr. Dana, a bill entitled

S. 46. An act authorizing the Governor to appropriate money to pay the proportion of expenses due from the State of Vermont in establishing and completing the Soldiers' National Cemetery at Gettysburg, Pennsylvania;

Was taken up, and indefinitely postponed.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 189. . An act to amend section thirty-two of chapter seventeen of the General Statutes ;

Reported the same, recommending that the Senate propose to the House to amend the title of the bill so as to read as follows : " An act in amendment of section thirty-two of chapter sixteen of the General Statutes, entitled ' Of the organization of village corporations and fire districts ' " ; which was agreed to ; and the bill was

*Ordered* to be read the third time to-morrow afternoon.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled " Of assessment and collection of taxes " ;

Reported in favor of its passage ; and, on motion of Mr. Chapman, the bill was

*Ordered* to lie.

On the motion of Mr. Crane, engrossed bill entitled

S. 42. An act for organizing the militia ;

And the motion for its reconsideration, were taken up. Mr. Dana, by unanimous consent, withdrew his motion offered at the morning session for the reconsideration of said bill.

So the bill was passed.

Mr. Williams, from the Committee on Manufactures to whom was referred House bill entitled

H. 186. An act to incorporate the Vermont Slate Manufacturing Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

On the motion of Mr. Barrett, the Senate adjourned.

TUESDAY, NOVEMBER 15, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr Pennock introduced a bill entitled

S. 60. An act to incorporate the Olin Hill Manufacturing Company;

Which was read the first and second time, and referred to the Committee on Manufactures.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 31.. An act amending section twelve, chapter one hundred twenty-six, of the General Statutes;

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled "Of the limitations of real and personal actions, and rights of entry";

S. 40. An act to incorporate the Poultney Normal Institute; And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 102. An act to increase the pay of grand and petit jurors;

H. 152. An act to authorize towns to raise money to pay substitutes for drafted men;

H. 194. An act to prevent the defacing of private property and natural objects by advertisements;

H. 227. An act relating to State's attorneys;

In the passage of which the concurrence of the Senate is requested.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 219. An act to prevent raids;

Reported in favor of its passage; and thereupon the bill was Ordered to be read the third time to-morrow morning.

Mr. Fish introduced a bill entitled

S. 61. An act to repeal an act making provisions for the support of families of certain soldiers, approved April 26, 1861, and amendments thereto;

Which was read the first and second time, and referred to the Committee on Printing.

House bills of the following titles, were severally read the first and second time, and referred, viz :

H. 102. An act to increase the pay of grand and petit jurors ;  
To the Committee on Finance.

H. 152. An act to authorize towns to raise money to pay substitutes for drafted men ;

To the Committee on Military Affairs.

H. 194. An act to prevent the defacing of private property and natural objects by advertisements ;

To the General Committee.

H. 227. An act relating to State's attorneys ;

To the Committee on the Judiciary.

Mr. Smith introduced a bill entitled

S. 62. An act in amendment of an act to incorporate the village of St. Albans ;

Which was read the first and second time, and referred to the General Committee.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 224. An act in addition to chapter twenty-nine of the General Statutes, entitled " Of the court of chancery " ;

Reported in favor of its passage ;. and thereupon said bill was read the third time and passed in concurrence.

Mr. Pennock, from the Committee on Claims to whom was referred House bill entitled

H. 229. An act to pay N. A. Zuill the sum therein mentioned ;

Reported in favor of its passage ; and thereupon the bill was read the third time and passed in concurrence.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 94. An act in amendment of section twelve of chapter seventy-two of the General Statutes, entitled " Guardians and wards " ;

Reported the same, without an expression of opinion ; and thereupon the third reading of said bill was refused.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 196. An act to incorporate the Ascutney Railroad Company ;

Reported in favor of the passage of the same ; and thereupon said bill was read the third time and passed in concurrence.

On the motion of Mr. Hutchinson, a bill entitled\*

S. 21. An act relating to the sale of real estate, including the

homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes ;

Was taken up, and

*Ordered* to be engrossed, and read the third time to-morrow morning.

Senate bill entitled

S. 58. An act in amendment of chapter twenty-five of the General Statutes, in relation to the assessment and collection of highway taxes ;

Having been printed, was taken up, and referred to the Committee on Roads.

Mr. Reed introduced the following joint resolution :

*Resolved by the Senate and House of Representatives, That* all official correspondence of the Governors of the State is the property of the State, and upon the retirement of any Governor from office he shall deposit with the Secretary of State all such correspondence, and the same shall be properly filed or bound and forever preserved in the office of the Secretary of State, as a portion of the archives of the State.

*Resolved, That* the Secretary of State is hereby directed to apply to each Ex-Governor of the State who is living, and to the heirs or legal representatives of each Ex-Governor who is dead, and procure the official correspondence of such Ex-Governor to be deposited and preserved as aforesaid ;

Which was read the first and second time, and referred to the Committee on the Judiciary.

Engrossed bill entitled

S. 52. An act in addition to an act to incorporate the village of St. Johnsbury ;

Was read the third time and passed.

Engrossed bill entitled

S. 53. An act to incorporate the Richmond Hotel Company ;

Was read the third time, and, on the motion of Mr. Crane, was *Ordered* to lie.

House bill entitled

H. 151. An act relating to appeals from probate courts ;

Was read the third time and passed in concurrence, with a proposal of amendment.

On the motion of Mr. Crane, engrossed bill entitled

S. 53. An act to incorporate the Richmond Hotel Company ;

Was taken up. Mr. Crane moved that the bill be committed to a member to amend in section one, line eighteen, by striking out the words " twenty-five," and inserting in lieu thereof the word " fifty " ; which was agreed to. The President designat-



ed Mr. Crane as the senator to whom the bill should be committed to amend, under the instructions of the Senate. Mr. Crane reported said bill amended agreeably to the instructions of the Senate.

Mr. Englesby, from a majority of the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred

H. 188. An act to authorize the towns of Fairfax, Georgia, Cambridge, Fletcher and Waterville, to raise money to build a railroad;

Respectfully report that they have examined the same, and a majority of them are of opinion that the same ought not to pass, for these reasons, among others:

*First.* Because such an act is in direct contravention of the purposes for which towns are organized. Section three of chapter eighty-five of the General Statutes provides that towns are declared to be bodies politic and corporate. The purposes for which they are so declared are best illustrated by observing the offices which are created for the purposes of the corporation, and their duties. This act would substantially make the towns stockholders in a private corporation. There are no officers who could by law subscribe for the stock, dispose of it, or represent it, and the act itself does not provide how this may be done. If done at all, it could be only through the intervention of a town meeting, appointing an agent with special instructions how to act. He would be confined to the specific authority, and an exigency arising, but wherein that failed, the stockholders would be unrepresented. There is no officer, or duty assigned to an officer, which contemplates such an act.

*Second.* Because such special legislation is in violation of the constitution of the State—(part I, articles two and nine)—that provides that “private property ought to be subservient to public uses, when necessity requires it. It follows that every man has a right to the use and enjoyment of his private property under this restriction. This is a private use or purpose, and the act contemplates the taking of private property for a private use, by compelling such inhabitants of the several towns as do not assent, to become unwillingly stockholders in a private corporation.

*Third.* Because it will work injustice to the poorer and less influential portion of the inhabitants of towns who are not desirous, neither have the ability, of becoming stockholders in monied corporations.

*Fourth.* It compels a large class of small property holders,

who have lists but are not permitted to vote, to become stockholders in monied corporations against their will.

*Fifth.* Its tendency is to induce expansion of credits, ruinous alike to towns and to individuals.

*Sixth.* Its tendency is to induce the General Assembly of the State to foster doubtful schemes, and encourage the citizens to embark in ruinous speculations, under the specious pretence of public improvement.

LEVERETT B. ENGLESBY,  
STEPHEN P. FLAGG.

On the motion of Mr. Smith, said bill was

*Ordered* to lie.

Mr. Smith introduced a bill entitled

S. 63. An act to incorporate the St. Albans Aqueduct Company;

Which was read the first and second time, and referred to the General Committee.

On motion of Mr. Englesby, the Senate adjourned.

## AFTERNOON.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 120. An act granting a ferry and wharf to Volney Rice;

Reported in favor of its passage; and thereupon said bill was read the third time, and passed in concurrence.

The President laid before the Senate the following communication from the Auditor of Accounts:

AUDITOR'S OFFICE, }  
Montpelier, Nov. 12, 1864. }

*To the Senate now in session:*

I transmit herewith the report of the Inspector of Finance, embodying the result of his examination of the Treasurer's vouchers for the payment of the extra State pay of seven dollars per month for the past fiscal year, the aggregate being \$727,-487 94, which sum corresponds with the amount charged in the accounts of the Treasurer.

D. STEWART, Auditor of Accounts.

(For Report see Appendix.)

On motion of Mr. Chapman, the report was ordered to lie, and the Secretary directed to procure the printing of four hundred copies for the use of the General Assembly:

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 63. An act to incorporate the St. Albans Aqueduct Company ;

Reported in favor of its passage ; and thereupon said bill was *Ordered* to be engrossed, and read the third time.

Mr. Williams, from the Committee on Manufactures to whom was referred a bill entitled

S. 60. An act to incorporate the Olin Hill Mining Company ;  
Reported in favor of its passage ; and thereupon the bill was *Ordered* to be engrossed, and read the third time.

Mr. Abbott, from the General Committee to whom was referred House bill entitled

H. 194. An act to prevent the defacing of private property and natural objects by advertisements ;

Reported in favor of its passage ; and thereupon the bill was *Ordered* to be read the third time to-morrow afternoon.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 98. An act restoring Henry D. Raymond to his legal rights and privileges ;

Reported adversely to its passage ; and, on the motion of Mr. Fish, the bill was *Ordered* to lie.

Mr. Abbott, from the General Committee to whom was referred House bill entitled

H. 220. An act to incorporate the First Congregational Society of Williamstown ;

Reported in favor of its passage ; and thereupon the bill was read the third time and passed in concurrence.

Mr. Rublee, from the Committee on Finance to whom was referred House bill entitled

H. 178. An act to legalize the grand list of the town of St. Albans for the year 1864 ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 223. An act restoring John T. Collins to his legal rights and privileges ;

Reported in favor of its passage; and thereupon the bill was read the third time, and passed in concurrence.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 62. An act in amendment of an act to incorporate the village of St. Albans;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed, and read the third time.

Mr. Henry introduced a bill entitled

S. 67. An act in addition to chapter eighty-six of the General Statutes, entitled "Of private corporations";

Which was read the first and second time, and referred to the Committee on Manufactures.

Mr. Englesby, for the Committee on the Judiciary to whom was referred a joint resolution for the preservation of the official correspondence of the Governors of the State, reported in favor of its adoption; and thereupon the resolution was read the third time, and adopted on the part of the Senate.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 227. An act relating to State's attorneys;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be read the third time to-morrow afternoon.

Mr. Tabor, from the General Committee to whom was referred a bill entitled

S. 57. An act relating to the distribution of public documents;

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed, and read the third time to-morrow afternoon.

Mr. Smith, from the Committee on Education to whom was referred House bill entitled

H. 105. An act to amend section twenty of chapter twenty-two of the General Statutes, relating to school districts;

Reported in favor of its passage; thereupon said bill was read the third time, and passed in concurrence.

Mr. Tabor, from the General Committee to whom was referred House bill entitled

H. 118. An act for the preservation of fish in the waters of Lake Champlain within five miles of Sand Bar Bridge;

Reported in favor of its passage; and thereupon the bill was read the third time, and passed in concurrence.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 115. An act in amendment of chapter eighteen of the General Statutes;

Reported in favor of its passage; and thereupon the bill was read the third time, and passed in concurrence.

House bill entitled

H. 189. An act to amend section thirty-two of chapter seventeen of the General Statutes;

Was read the third time, and passed in concurrence, with a proposal of amendment.

House bill entitled

H. 208. An act to pay for Gettysburg Cemetery, and provide commissioners therefor;

Was read the third time, and passed in concurrence.

On the motion of Mr. Englesby, House bill entitled

H. 184. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes;

Was taken up. Mr. Dana moved to reconsider the amendment offered by Mr. Henry to said bill; which was agreed to.

Mr. Dana, by unanimous consent, withdrew his amendment to Mr. Henry's amendment.

Mr. Upham moved the following amendment for Mr. Henry's proposal of amendment: "The provisions of this bill shall not be in force in any town until said town shall vote to accept the same at a town meeting regularly warned and holden for that purpose"; which was agreed to.

Mr. Pennock moved that the bill be ordered to lie; which was disagreed to.

The bill was read a third time, and the question being, Shall the bill pass? it was decided in the negative—yeas 12, nays 16.

The yeas and nays being demanded by Mr. Henry, were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Clark,  
Clement,  
Englesby,  
Fish,

Kellam,  
Meacham,  
Nichols,  
Pennock,

Reed,  
Richmond,  
Smith,  
Upham—12.

Those senators who voted in the negative are Messrs.

Abbott,  
Barrett,  
Buttani,  
Chapman,  
Crane,  
Cushman,

Dana,  
Flagg,  
Henry,  
Hobart,  
Hollister,

Hutchinson,  
Ruble,  
Tabor,  
Williams,  
Wood—16.

So the third reading of said bill was refused.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to deliver to the Senate a communication in writing.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 15. An act extending the charter of the Stark Bank;

And have passed the same in concurrence.

The House have also considered the Senate proposals of amendment to House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes;

And do not adopt the same in concurrence.

The House have passed bills of the following titles:

H. 182. An act to incorporate the Tyson Iron Company;

H. 14. An act repealing an act therein mentioned;

In the passage of which the concurrence of the Senate is requested.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 23. An act to amend section six of chapter fifty-five of the General Statutes, entitled "Of estates in dower and by the curtesy";

Reported adversely to its passage; and, on the motion of Mr. Wood, the bill was

*Ordered* to lie and be made the special order for to-morrow afternoon.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 15. An act to legalize the grand list of the town of Wolcott for the years 1860, 1861, 1862, 1863 and 1864;

Reported the same, recommending that the bill be amended by adding to section one the following proviso: "*Provided*, however, that the passage of this act shall in no way effect any suit at law which may have arisen in consequence of the illegality of said lists; or any proceedings where either of the collectors in said town for the years or grand lists aforesaid may have heretofore collected taxes assessed on said grand lists by compulsory process";

Which was agreed to; and thereupon the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 68. An act providing for recording orders of removal of paupers;

Reported adversely to its passage; and thereupon the third reading of said bill was refused.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 132. An act in relation to dower and homestead;

Reported adversely to its passage; and thereupon the third reading of said bill was refused.

House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and eighty-three of the General Statutes;

Was taken up, having been returned from the House with non-concurrence in the Senate proposals of amendment. On motion of Mr. Reed, the Senate voted to insist upon its proposals of amendment, and ask a committee of conference of the House of Representatives, upon the disagreeing votes of the two Houses.

On motion of Mr. Henry, the vote refusing a third reading to House bill entitled

H. 132. An act in relation to dower and homestead;

Was reconsidered; and, on motion of Mr. Chapman, it was

*Ordered* to lie.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 182. An act to incorporate the Tyson Iron Company;

To the Committee on Manufactures.

H. 14. An act repealing an act therein mentioned;

To the Committee on Education.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 222. An act to incorporate the Woodstock Gold Mining Company;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 61. An act to repeal an act making provisions for the support of families of certain soldiers, approved April 26, 1861, and the amendments thereto;

Reported the same, recommending the printing of three hundred and fifty copies; and said bill was

*Ordered* to lie and be printed.

On the motion of Mr. Abbott, the Senate adjourned.

WEDNESDAY, NOVEMBER 16, 1864.

Prayer by the Chaplain.

Journal of yesterday was read, corrected and approved.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles:

S. 2. An act in amendment of section eleven of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor";

S. 4. An act relating to the bounty and pay of soldiers, and the support of their families;

S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes;

S. 7. An act to amend chapter one hundred and nineteen of the General Statutes, entitled "Of offenses against public policy";

S. 10. An act to provide for the recording of the stamps of the United States internal revenue, and for other purposes;

S. 18. An act to incorporate the Bennington and Glastenbury Railroad, Mining and Manufacturing Company;

S. 19. An act to authorize towns to prepare and publish a soldiers' record;

S. 20. An act continuing the charter of the Bank of Poultney;

S. 26. An act to incorporate the Brandon Kaolin Paint Company;

S. 28. An act to incorporate the Brandon Silver Lead Company;

S. 29. An act to incorporate the Factory Point Boot and Shoe Company;

S. 39. An act to incorporate the Poultney Hotel Company;

The President announced as the committee of conference on the disagreeing votes of the two Houses on House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes;

Senator Reed,

" Flagg,

" Smith.



Mr. Fish introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That a joint committee, consisting of two senators and three representatives, be appointed by the presiding officers of the Senate and House respectively, for the purpose of fixing upon the earliest day, practicable with the necessary business of the session, for a final adjournment of the General Assembly, and report as soon as practicable ;

Which was read, and, on the motion of Mr. Henry,

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles :

H. 1. An act amending section six of chapter thirty-six of the General Statutes ;

H. 3. An act in addition to an act laying a tax on Orange county, approved November 6, 1863 ;

H. 4. An act to incorporate the Fairfax Railroad Company ;

H. 16. An act to provide for taking affidavits, depositions and acknowledgments of deeds of persons in the service of the United States ;

H. 20. An act to incorporate the Johnson Cemetery Association ;

H. 29. An act regulating fees for justice writs ;

H. 36. An act to incorporate the Salisbury Marble Company ;

H. 41. An act to repeal sections five, six and seven of chapter sixty-nine of the General Statutes ;

H. 48. An act requiring notaries public to pay the county clerk recording fees ;

H. 52. An act in addition to and in amendment of section seven of chapter one hundred and thirteen of the General Statutes ;

H. 56. An act extending the charter of the Orange County Bank ;

H. 63. An act to pay General P. T. Washburn for his services as Adjutant and Inspector General ;

H. 64. An act granting certain rights to the proprietors of the Lyme Bridge Company ;

H. 80. An act relating to petit jurors ;

H. 85. An act to legalize the grand list of the town of Rutland ;

H. 122. An act restoring Chauncey Mattison to his legal rights and privileges ;

H. 128. An act to incorporate the Cedar Hill Marble Company ;

H. 135. An act to pay James A. Pollard the sum therein mentioned ;

H. 147. An act to legalize the grand list of the town of Topsham ;

H. 159. An act to amend section one of an act incorporating the Underhill Center Hotel Company.

H. 27. An act to repeal a part of section fifty, chapter twenty-two, of the General Statutes, and to amend the remainder ;

H. 40. An act to repeal an act entitled " An act to encourage volunteering," approved November 11, 1863 ;

H. 88. An act in amendment of section one hundred and ten of chapter twenty-two of the General Statutes, relating to common schools and school laws ;

H. 95. An act to incorporate the First Methodist Episcopal Legal Society of Middlebury ;

H. 133. An act in addition to chapter one hundred and twenty of the General Statutes, entitled " Of general provisions concerning crimes and punishments " ;

H. 139. An act authorizing the Governor to require the opinion of the judges of the supreme court in certain cases ;

H. 141. An act laying a tax on the county of Caledonia ;

H. 153. An act to incorporate the Northern Union Express Company ;

H. 166. An act to amend section thirty-four of chapter eighty-four of the General Statutes ;

H. 168. An act to incorporate the Central Vermont Musical Association ;

H. 172. An act to incorporate the International Express Company ;

H. 177. An act in addition to section thirty-eight of chapter twenty of the General Statutes ;

H. 191. An act to incorporate the Eastern Vermont Railroad Company ;

H. 199. An act to legalize the grand list of the town of Poultney ;

H. 200. An act to legalize the grand list of the town of Fairhaven.

The House have considered Senate bill entitled

S. 36. An act increasing the capital stock of the Lamoille County Bank ;

And have passed the same in concurrence.

The House have passed bills of the following titles :

H. 192. An act to pay certain State officers for extra services ;

H. 212. An act relating to the payment of town bounties to volunteers ;

H. 221. An act in addition to chapter one hundred and thirteen of the General Statutes, entitled "Of offenses against private property" ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 192. An act to pay certain State officers for extra services ;

To the Committee on Finance.

H. 212. An act relating to the payment of town bounties to volunteers ;

To the Committee on Military Affairs.

H. 221. An act in addition to chapter one hundred and thirteen of the General Statutes, entitled "Of offenses against private property ;

To the Committee on the Judiciary.

Mr. Allen introduced a bill entitled

S. 68. An act to amend section six, chapter one, of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Reed introduced a bill entitled

S. 69. An act requiring of towns a general index to their records of deeds ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Wood introduced a bill entitled

S. 70. An act providing for the election of town officers, registration of votes, and to punish illegal voting, and in amendment of chapter fifteen of the General Statutes ;

Which was read the first and second time, and referred to the Committee on Printing.

On the motion of Mr. Flagg, the vote refusing the third reading of House bill entitled

H. 184. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes ;

Was reconsidered. On the motion of Mr. Cushman the vote adopting the amendment offered by Mr. Upham to Mr. Henry's

proposal of amendment was reconsidered, and the amendment, by unanimous consent, was withdrawn.

Mr. Williams moved to add the following to Mr. Henry's proposal of amendment: "and the provisions of this act shall not be in force in any town until said town shall vote to accept the same at a town meeting legally warned and holden for that purpose"; which was agreed to.

Mr. Nichols moved to propose to the House to amend by striking out the word "bill," and inserting in lieu thereof the word "act";

Which was agreed to; and the bill was read the third time and passed in concurrence, with a proposal of amendment.

Mr. Reed, from the Committee on the Judiciary to whom was referred House bill entitled

H. 118. An act defining offenses against the government, and providing for their punishment;

Reported the same, recommending that the Senate propose to the House to amend section two by striking out the words "the term not less than five years, and not to exceed ten years," and insert in lieu thereof the words "a term not less than five years, nor more than ten years," which was agreed to; and, on the motion of Mr. Williams, the bill was

*Ordered* to lie.

On the motion of Mr. Flagg, the Senate went into Executive Session, and after the consideration of executive business, the doors were opened.

Mr. Reed, from the Committee on Printing to whom was referred bills entitled

S. 68. An act to amend section six, chapter one, of the General Statutes;

S. 69. An act requiring of towns a general index to their records of deeds;

S. 70. An act providing for the election of town officers, registration of votes, and to punish illegal voting, and in amendment of chapter fifteen of the General Statutes;

Reported the same, recommending the printing of three hundred and fifty copies of each of said bills; and they were

*Ordered* to lie and be printed.

On the motion of Mr. Chapman, the Senate adjourned.

AFTERNOON.

Mr. Flagg, from the Committee on the Judiciary to whom was referred House bill entitled

H. 234. An act in addition to chapter one hundred and twenty-six of the General Statutes, entitled "Of salaries, fees, etc.";

Reported in favor of its passage; and thereupon the bill was read the third time and passed in concurrence.

House bill entitled

H. 219. An act to prevent raids;

Was read the third time, and passed in concurrence.

Engrossed bills of the following titles were severally read the third time and passed:

S. 57. An act relating to the distribution of public documents;

S. 60. An act to incorporate the Olin Hill Manufacturing Company;

S. 62. An act in amendment of an act to incorporate the village of St. Albans;

S. 63. An act to incorporate the St. Albans Aqueduct Company.

Mr. Clark, from the Committee on Finance to whom was referred so much of the Governor's message as relates to the finances of the State, submitted the following report.

(For Report see Appendix.)

On the motion of Mr. Henry, the report was ordered to lie, and the Secretary directed to procure the printing of one thousand copies for the use of the General Assembly.

Mr. Henry, from the Committee on Banks to whom was referred a bill entitled

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes;

Reported in favor of its passage; and thereupon the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

Mr. Henry, from the Committee on Banks to whom was referred a bill entitled

S. 50. An act in addition to chapter eighty-nine of the General Statutes;

Reported in favor of its passage; and thereupon the bill was

*Ordered* to be engrossed, and read the third time to-morrow morning.

On the motion of Mr. Henry, House bill entitled

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled "Of assessment and collection of taxes";

Was taken up, and read the third time. The question being, Shall the bill pass? it was decided in the negative.

Mr. Pennock, from the Committee on Claims to whom was referred a bill entitled

S. 22. An act to pay Thomas E. Powers the balance due him for superintending the reconstruction of the State House;

Reported adversely to its passage; and, on the motion of Mr. Chapman, the bill was

*Ordered* to lie.

On the motion of Mr. Englesby, a bill entitled

S. 17. An act to commute the sentence of John Burns;

Was taken up, and recommitted to the General Committee.

On the motion of Mr. Smith, House bill entitled

H. 188. An act to authorize the towns of Fairfax, Georgia, Cambridge, Fletcher and Waterville, to raise money to build a railroad;

Was taken up, and recommitted to the Committee on the Judiciary.

On the motion of Mr. Clark, the vote refusing the passage of House bill entitled

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled "Of assessment and collection of taxes";

Was reconsidered; and the bill was

*Ordered* to lie.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to deliver to the Senate a communication in writing.

On motion of Mr. Chapman, the Senate proceeded to the consideration of executive business; and after the consideration of executive business the doors were opened.

On the motion of Mr. Rublee, the Senate adjourned.

## THURSDAY, NOVEMBER 17, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Williams, from the Committee on Manufactures to whom was referred a bill entitled

S. 67. An act in addition to chapter eighty-six of the General Statutes, entitled "Of private corporations";

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed, and read the third time.

Mr. Barrett, from the Committee on Education to whom was referred House bill entitled

H. 67. An act authorizing selectmen to build school houses;

Reported the same, recommending that the Senate propose to the House to amend in section three, line , by striking out after the word "order," the words "to build a school house, as provided in section two of this act"; which was agreed to; and the bill read a third time, and, on motion of Mr. Chapman,

*Ordered* to lie.

Engrossed bills entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes;

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes;

S. 50. An act in addition to chapter eighty-nine of the General Statutes;

Were severally read the third time and passed.

Mr. Chapman, from the Committee on Finance to whom was referred a bill entitled

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

Reported in favor of its passage; and thereupon said bill was *Ordered* to be engrossed, and read the third time to-morrow morning.

The President laid before the Senate the following communication from the Secretary of State:

SECRETARY OF STATE'S OFFICE, }  
Montpelier, October 28, 1864. }

*To the General Assembly of the State of Vermont:*

In compliance with the provisions of the General Statutes,

relating to the registry and returns of births, marriages and deaths, I have the honor of submitting to the General Assembly the annual report on this subject, for the year 1863.

Respectfully submitted,

GEO. W. BAILEY, Jr., Secretary of State.

On the motion of Mr. Smith, the report was ordered to lie, and the Secretary directed to procure the printing of one thousand copies for the use of the General Assembly.

Mr. Rublee, from the Committee on Finance to whom was referred House bill entitled

H. 213. An act in amendment of sections fifteen and eighteen of chapter one hundred and twenty-three of the General Statutes ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

On the motion of Mr. Williams, House bill entitled

H. 118. An act defining offenses against the government, and providing for their punishment ;

Was taken up, considered, and

*Ordered* to be read the third time to-morrow morning.

Mr. Wood, from the Committee on Military Affairs to whom was referred House bill entitled

H. 152. An act to authorize towns to raise money to pay substitutes for drafted men ;

Reported in favor of its passage ; and, on motion of Mr. Dana, the bill was

*Ordered* to lie, and made the special order for to-morrow afternoon.

House bill entitled

H. 28. An act to amend section six of chapter fifty-five of the General Statutes, entitled " Of estates in dower and by the curtesy " ;

Being a special order at this time, was taken up, and, on the motion of Mr. Wood, was recommitted to the Committee on the Judiciary.

Mr. Williams, from the Committee on Manufactures to whom was referred House bill entitled

H. 182. An act to incorporate the Tyson Iron Company ;

Reported in favor of its passage ; thereupon said bill was read the third time, and passed in concurrence.

A joint resolution from the House, granting the use of the Representatives' Hall, Wednesday evening, November 2d, to Dr. David P. Holton, of New York, was taken up, and concurrence refused.



Engrossed bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four, chapter twenty-eight, of the General Statutes;

- Was taken up, and, on the motion of Mr. Hutchinson, it was *Ordered* to lie.

On the motion of Mr. Hutchinson, a bill entitled

S. 14. An act in amendment of section twenty-one of chapter seventy, relating to divorce;

Was taken up, and indefinitely postponed.

On the motion of Mr. Flagg, a bill entitled

S. 8. An act to amend section fourteen of chapter sixty-nine of the General Statutes, entitled "Of marriage";

Was taken up, and indefinitely postponed.

A bill entitled

S. 27. An act relating to the service of trustee process;

Was taken up, and the engrossment and third reading of said bill was refused.

On the motion of Mr. Hutchinson, engrossed bill entitled

S. 35. An act relating to the rights of corporations formed under section one hundred and four of chapter twenty-eight of the General Statutes;

Was taken up, and, on the motion of Mr. Hollister, was indefinitely postponed.

On the motion of Mr. Chapman, House bill entitled

H. 67. An act authorizing selectmen to build school houses;

Was taken up, and passed in concurrence, with a proposal of amendment.

On the motion of Mr. Wallace, the Senate adjourned.

## AFTERNOON.

Engrossed bill entitled

S. 67. An act in addition to chapter eighty-six of the General Statutes, entitled "Of private corporations";

Was read the third time and passed.

Mr. Flagg, for a majority of the Committee on the Judiciary to whom was referred House bill entitled

H. 50. An act to provide for the repairs of houses of public worship;

Reported the same, recommending that the Senate propose to the House to amend by adding to the fifth section the following words: "And if such owner or occupant shall fail to redeem within six months, as provided in this section, such collector shall thereupon make, execute and deliver to the purchaser, a deed of such pew or pews, which deed so executed and delivered and recorded shall convey to such purchaser an absolute title thereto"; which was agreed to.

The committee further suggest that when the bill is so amended the bill should pass in concurrence, provided the Senate should deem such a law valid, and one which the courts would enforce, —a question upon which the committee have serious doubts, and upon which they do not express an opinion.

Mr. Englesby moved to propose to the House to amend by adding to section four the following proviso: "*Provided*, that if any pew-holder does not assent to the vote requiring repairs, the remaining pew-holders who assent to the repairs shall pay said pew-holder not assenting the amount at which his pew or pews are appraised, upon his executing to them, or such of them as may be designated, a quit-claim deed of his interest in such pew or pews";

Which was agreed to; and thereupon the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Barrett, from the Committee on Education to whom was referred House bill entitled

H. 129. An act to amend section eighty-three of chapter twenty-two of the General Statutes, entitled "Common schools and school laws";

Reported adversely to its passage; and thereupon the third reading of said bill was refused.

Mr. Flagg, from the Committee on the Judiciary to whom was referred the petition of Henry G. Root and fifty-one others, citizens of Bennington, asking for a repeal of the law requiring the publication of the intention of marriage, reported that a bill having been passed substantially in compliance with the prayer of said petition, they asked to be discharged from its further consideration; and the discharge asked was granted.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed a bill originating in the House, entitled

H. 219. An act to prevent raids.

The House have considered Senate bills of the following titles:

S. 38. An act defining who shall be voters in town, city, village and school district meetings;

S. 44. An act providing for printing the reports of certain State officers;

S. 52. An act in addition to an act to incorporate the village of St. Johnsbury;

S. 56. An act to incorporate the Rochester Soap Stone Company;

And have passed the same in concurrence.

The House have adopted a joint resolution relating to the First Vermont Cavalry,

In the adoption of which the concurrence of the Senate is requested.

The House have considered a joint resolution for the preservation of the official correspondence of the Governors;

And have adopted the same in concurrence.

The House have considered the Senate proposals of amendment to House bills entitled

H. 15. An act to legalize the grand list of the town of Wolcott for the years 1860, 1861, 1862, 1863 and 1864;

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes;

H. 151. An act relating to appeals from probate courts;

H. 189. An act to amend section thirty-two of chapter seventeen of the General Statutes;

And have concurred therein.

The House have passed bills entitled.

H. 218. An act to establish the Vermont Agricultural College;

H. 249. An act relating to the Atlantic and St. Lawrence Railroad;

H. 258. An act to incorporate the Rutland and Castleton Railroad Company;

In the passage of which the concurrence of the Senate is requested.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 221. An act in addition to chapter one hundred and thirteen of the General Statutes, entitled "Of offenses against private property";

Reported in favor of its passage; and thereupon the bill was read the third time and passed in concurrence.

Mr. Englesby, from the Committee on the Judiciary to whom was referred a bill entitled

S. 49. An act providing for a general index of the records of the probate court ;

Reported adversely to its passage ; and thereupon the engrossment and third reading of said bill was refused.

Mr. Englesby introduced a bill entitled

S. 71. An act prescribing the duties of county clerks in certain cases ;

Which was read the first and second time, and referred to the Committee on Printing.

Mr. Chapman, from the Committee on Finance, to whom was referred House bill entitled

H. 192. An act to pay certain State officers for extra services ;

Reported the same, recommending that the Senate propose to the House to amend section one, line seven, by striking out the words "fifteen hundred," and inserting in lieu thereof the words, "two thousand" ; which was agreed to.

Also, to add to section one, at the end thereof, "to the Secretary of the Senate one hundred dollars, for services in compiling the Manual of Parliamentary Practice under the joint resolution of the General Assembly, adopted at the October session, 1863." Mr. Smith moved to amend the proposal of amendment by striking out the words "one hundred," and inserting in lieu thereof the words "two hundred" ;

Which was agreed to ; and the bill was read a third time and passed in concurrence, with a proposal of amendment.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 249. An act relating to the Atlantic and St. Lawrence Railroad ;

H. 253. An act to incorporate the Rutland and Castleton Railroad Company ;

To the Committee on Roads.

H. 218. An act to establish the Vermont Agricultural College ;

To the Committee on Education.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,*  
That the Secretary of State be directed to request Colonel Wells, of the First Vermont Cavalry, to furnish a certified copy of the original receipt given for the property captured by said regiment at the battle of Cedar Creek, October 19th, 1864, for preservation with the archives of the State ;

Which was read, and, on the motion of Mr. Nichols, was  
*Ordered to lie.*

On the motion of Mr. Kellam, the Senate adjourned.

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## FRIDAY, NOVEMBER 18, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

House bill entitled

H. 118. An act defining offenses against the government, and providing for their punishment;

Was read a third time. Mr. Cushman moved to propose to amend in section two, line five, by striking out the word "fourteen," before the word "days," and inserting in lieu thereof the word "three"; which was disagreed to; and the bill was passed in concurrence, with a proposal of amendment.

Engrossed Senate bill entitled

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

Was read the third time and passed.

Mr. Chapman, from the Committee on Finance to whom was referred a bill entitled

S. 28. An act relating to the grand list, and instructing the listers in their duty;

Reported adversely to its passage; and thereupon the engrossment and third reading of said bill was refused.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 102. An act to increase the pay of grand and petit jurors;

Reported the same, recommending that the Senate propose to the House to amend by striking out sections one and two, and substituting the following:

SEC. 1. Grand and petit jurors' fees in the county courts, from the first day of December, 1864, to the first day of December, 1865, shall be, for travel eight cents per mile, for at-

tendance per day two dollars, for each talesman at the rate of one dollar and fifty cents per day.

Mr. Dana moved to strike out from said proposal of amendment the words "eight cents," and inserting in lieu thereof the words "ten cents";

Which was disagreed to; and thereupon the bill was read a third time and passed in concurrence, with a proposal of amendment.

Mr. Rublee, from the Committee on Finance to whom was referred House bill entitled

H. 217. An act in addition to chapter one hundred and twenty-six of the General Statutes;

Reported in favor of its passage; and thereupon the bill was read the third time, and passed in concurrence.

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 17. An act to commute the sentence of John Burns;

Reported the same, without an expression of opinion; and after consideration, the engrossment and third reading of said bill was refused.

On the motion of Mr. Chapman, House bill entitled

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled "Of assessment and collection of taxes";

Was taken up. The question being, Shall the bill pass? it was decided in the affirmative—yeas 16, nays 14.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Barrett,  
Bottum,  
Chapman,  
Clement,

Fish,  
Flagg,  
Kellam,  
Nichols,  
Reed,

Richmond,  
Tabor,  
Upham,  
Wallace,  
Wood—16.

Those senators who voted in the negative are Messrs.

Clark,  
Craze,  
Cushman,  
Dana,  
Englesby,

Henry,  
Hobart,  
Hollister,  
Hutchinson,  
Meacham,

Pennock,  
Rublee,  
Smith,  
Williams—14.

So the bill was passed in concurrence.

The following entitled bills, having been printed, were taken up, and referred, to wit:

S. 69. An act requiring of towns a general index to their records of deeds;

S. 70. An act providing for the election of town officers, reg-

istration of votes, and to punish illegal voting, and in amendment of chapter fifteen of the General Statutes ;

To the General Committee.

S. 68. An act to amend section six, chapter one, of the General Statutes ;

S. 59. An act restricting the provisions of chapter sixty-eight of the General Statutes, entitled "Of estates of homestead" ;

To the Committee on the Judiciary.

S. 61. An act to repeal an act making provisions for the support of families of certain soldiers, approved April 26, 1861, and the amendments thereto ;

To the Committee on Military Affairs.

Mr. Reed, from the Committee on Printing to whom was referred a bill entitled

S. 71. An act prescribing the duties of county clerks in certain cases ;

Reported in favor of printing three hundred and fifty copies ; and thereupon said bill was

*Ordered* to lie and be printed.

On the motion of Mr. Tabor, the Senate adjourned.

## AFTERNOON.

Mr. Hutchinson, for a majority of the Committee on Roads to whom was referred House bill entitled

H. 253. An act to incorporate the Rutland and Castleton Railroad Company ;

Reported in favor of its passage ; and, on the motion of Mr. Hollister, the bill was

*Ordered* to lie.

Mr. Chapman called up the joint resolution offered November 15th, for the appointment of a joint committee on the final adjournment of the General Assembly,

And it was considered and adopted on the part of the Senate.

On the motion of Mr. Hollister, House bill entitled

H. 253. An act to incorporate the Rutland and Castleton Railroad Company ;

Was taken up. Mr. Clark moved to propose to the House to amend by adding the following, as sections fourteen, fifteen, sixteen, seventeen, and eighteen, to said bill :

SEC. 14. Provided, however, that the Rutland and Washington Railroad Company, or the parties operating such railroad, may apply to the supreme court, at any term thereof, in any county, within sixty days after the date of the approval of this act, for the appointment of three disinterested commissioners to fix, settle and determine a uniform tariff of rates and charges for the transportation of freights of all descriptions on said Rutland and Washington Railroad between the stations of Rutland and Castleton, and all intermediate places and quarries. And it is hereby made the duty of such court, on such application, to appoint such commissioners. And the award and decision of said commissioners, and the tariff by them reported, when approved by such court, may be enforced by such court by the ordinary process of the court of chancery, and said court may issue, at any term thereof, all proper and necessary orders to carry such award and decision into effect.

SEC. 15. Said commissioners shall give due personal notice of the time and place of hearing before them, to William G. Ripley of Rutland, Pitt W. Hyde of Castleton, and Ira C. Allen of Fairhaven, and shall also give further notice thereof by publication in the Rutland Herald for three weeks successively before said hearing. And shall fully hear all parties appearing before them, and claiming to be interested in the matters referred to them; and when the report of said commissioners shall be confirmed by said court, the tariff of rates of transportation, so reported, shall be by said court established as the rates thereafter to be charged on said railroad between said stations and places.

SEC. 16. If the corporation or managers running said railroad shall, after the establishment of such tariff, take or receive for the transportation of freight over said road between any of the aforesaid points or places, a greater compensation than is in said tariff allowed, such corporation and managers shall forfeit and pay for every such offense four times the amount of excess so received, to be recovered by the party paying such excess, in an action on the case, before any court of competent jurisdiction.

SEC. 17. Such award, decision and tariff, when approved by the supreme court, shall be binding on said corporation and managers, and all other parties, until modified by a new board of commissioners appointed in the manner aforesaid, upon the application of any party in interest; which modified award, when approved by the supreme court, may be carried into effect and enforced in the manner above provided. But no such award, either original or modified, shall be so altered or modified within one year from the time when it shall have been put into operation.



**Sec. 18.** If the parties operating said Rutland and Washington Railroad shall cause such an award and tariff to be made and approved, in the manner herein provided, within six months after the date of the approval of this act, then the first twelve sections of this act shall be and become void and of no effect.

Mr. Hollister moved to propose to the House to amend the amendment offered by Mr. Clark, as follows: to insert in line six, section fourteen, after the word "to," the following: "regulate the connection which all trains going over the Washington and Rutland Railroad between Castleton and Rutland shall make with the Castleton and Whitehall and Rutland and Burlington Railroads"; also, insert, in line seven, section fourteen, after the word "freights," the words "and passengers"; which were accepted by Mr. Clark.

The question being, Will the Senate propose to the House to amend as proposed by Mr. Clark? it was decided in the negative—yeas 7, nays 22.

Mr. Clark having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bottum, Clark, Crane,	Hollister, Meacham,	Rublee, Upham—7.
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Those senators who voted in the negative are Messrs.

Abbott, Allen, Barrett, Chapman, Clement, Cushman, Dana, Englesby,	Fish, Flagg, Henry, Hobart, Hutchinson, Kellam, Nichols,	Pennock, Reed, Smith, Tabor, Wallace, Williams, Wood—22.
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So the amendment was disagreed to, and the bill was read a third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have appointed as a committee of conference to meet the committee of the Senate on the disagreeing votes of the two Houses on the Senate proposal of amendment to House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes;

Mr. Deane of Cavendish,  
" Nicholson of Wallingford,  
" Hebard of Chelsea.

The House have considered Senate bills entitled

S. 33. An act in addition to chapter thirty-six of the General Statutes, entitled "Of depositions and witnesses";

S. 51. An act in amendment of an act to incorporate the Poultney Slate Company;

S. 62. An act in amendment of an act to incorporate the village of St. Albans;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 156. An act to amend sections eighteen and twenty of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

H. 228. An act in relation to banks surrendering their charters upon becoming banking associations under the laws of the United States;

H. 244. An act to incorporate the Connecticut River Valley Mining Company.

In the passage of which the concurrence of the Senate is requested.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a joint resolution granting the use of the cannon in the portico of the capitol to the union citizens of Montpelier for the purpose of a salute,

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House:

*Resolved by the Senate and House of Representatives,*  
That the Sergeant-at-Arms is directed to permit the cannon on the portico of the capitol, to be taken by the union citizens of Montpelier, for the purpose of firing a salute this, Friday evening, in honor of the union victory at the ballot box on the 8th of November, 1864;

Was read and adopted in concurrence.

On the motion of Mr. Wood, the Senate adjourned.

## SATURDAY, NOVEMBER 19, 1864.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 249. An act relating to the Atlantic and St. Lawrence Railroad ;

Reported the same, recommending that the Senate propose to the House to amend by adding to section one the following proviso : "*Provided*, this act shall not relate to or in any manner affect freights or passengers, or the rates or currency to be paid on account of the same, to or from any point in the British Provinces" ;

Which was agreed to ; and the bill was read the third time and passed in concurrence, with a proposal of amendment.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 156. An act to amend sections eighteen and twenty of chapter twenty-five of the General Statutes, entitled " Of repairs of highways and bridges " ;

To the Committee on Roads.

H. 244. An act to incorporate the Connecticut River Valley Mining Company ;

To the Committee on Manufactures.

H. 228. An act in relation to banks surrendering their charters upon becoming banking associations under the laws of the United States ;

To the Committee on Banks.

House bill entitled

H. 152. An act to authorize towns to raise money to pay substitutes for drafted men ;

Was taken up, being a special order at this time. The question being, Shall the bill be read the third time ? it was decided in the negative.

So the third reading of said bill was refused.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 57. An act relating to the distribution of public documents;

And have passed the same in concurrence.

The House have considered Senate bills entitled

S. 53. An act to incorporate the Richmond Hotel Company;

S. 60. An act to incorporate the Olin Hill Mining Company;

S. 68. An act to incorporate the St. Albans Aqueduct Company;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bills entitled

H. 50. An act to provide for the repairs of houses of public worship;

H. 67. An act authorizing selectmen to build school houses;

H. 102. An act to increase the pay of grand and petit jurors;

H. 118. An act defining offenses against the government, and providing for their punishment;

And have concurred therein.

The House have considered a joint resolution from the Senate for the appointment of a committee to fix upon a day for the final adjournment of the General Assembly,

And have adopted the same in concurrence, with a proposal of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 19. An act to amend section eighty-three of chapter twenty-two of the General Statutes, entitled "Common schools and school laws";

H. 75. An act to equalize taxation and to prevent frauds in the grand list;

H. 203. An act to repeal so much of chapter fifteen of the General Statutes, as relates to the election of sealers of weights and measures;

H. 236. An act to incorporate the Governor Paine Slate Company;

H. 245. An act to enable towns to fulfill certain contracts;

H. 246. An act incorporating the Burlington Manufacturing Company;

H. 247. An act in addition to an act to prevent raids;

H. 250. An act authorising the Burlington Aqueduct Company to increase its capital stock;

H. 252. An act to incorporate the Montpelier Hotel Company;

In the passage of which the concurrence of the Senate is requested.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles:

S. 15. An act extending the charter of the Stark Bank;

S. 30. An act to incorporate the Mendon Marble Company;

S. 31. An act amending section twelve of chapter one hundred and twenty-six of the General Statutes;

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled "Of the limitations of real and personal actions; and rights of entry";

S. 36. An act increasing the capital stock of the Lamoille County Bank;

S. 40. An act to incorporate the Poultney Normal Institute.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 59. An act restricting the provisions of chapter sixty-eight of the General Statutes, entitled "Of estates of homestead";

Reported in favor of its passage; and thereupon the bill was *Ordered* to be engrossed, and read the third time on Monday morning next.

A bill entitled

S. 71. An act prescribing the duties of county clerks in certain cases;

Having been printed, was taken up and referred to the Committee on the Judiciary.

On the motion of Mr. Bettum, the vote refusing the engrossment and third reading of the bill entitled

S. 17. An act to commute the sentence of John Burns;

Was reconsidered. The question being, Shall the bill be engrossed and read the third time? it was decided in the affirmative—yeas 16, nays 13.

Mr. Barrett having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Abbott,  
Barnett,  
Bettum,  
Clark,  
Crane,  
Cushman,

Dana,  
Engels,  
Flagg,  
Hollester,  
Kellam,

Mescham,  
Pensack,  
Richmond,  
Tabor,  
Upham—16.

Those senators who voted in the negative are Messrs.

Allen,  
Chapman,  
Fish,  
Henry,  
Hobart,

Hutchinson,  
Nichols,  
Reed,  
Ruble,

Smith,  
Wallace,  
Williams,  
Wood—13.

So the bill was

*Ordered* to be engrossed, and read the third time on Monday morning next.

Mr. Nichols, from the Committee on Education to whom was referred House bill entitled

H. 218. An act to establish the Vermont Agricultural College;

Reported the same, without an expression of opinion.

Mr. Barrett, from the Committee on Education to whom was referred House bill entitled

H. 14. An act repealing an act therein mentioned;

Reported the same, with a proposal of amendment.

On the motion of Mr. Richmond, the Senate adjourned.

## AFTERNOON.

The proposal of amendment to the joint resolution relative to the final adjournment of the General Assembly, was agreed to.

The President appointed as the committee on the part of the Senate under the joint resolution relative to the final adjournment of the General Assembly:

Senator Fish,  
" Henry.

Mr. Hollister, from the Committee on Roads to whom was referred House bill entitled

H. 156. An act to amend sections eighteen and twenty of chapter twenty-five, of the General Statutes, entitled "Of repairs of highways and bridges";

Reported in favor of its passage; and thereupon the bill was

*Ordered* to be read the third time on Monday morning next.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 28. An act to amend section six of chapter fifty-five of the General Statutes, entitled "Of estates in dower and by the curtesy";

Reported the same, recommending that the Senate propose to the House to amend by striking out all after the enacting clause and substituting the following :

**SEC. 1.** Probate courts may in their discretion extend the time in which widows shall make their election, agreeably to section six, chapter fifty-five, of the General Statutes, from time to time during the settlement of any estate, as the exigencies thereof seem to require.

*Second.* And when the bill is passed in concurrence, that the title be amended by striking out the present title and substituting the following :

"An act authorizing probate courts to extend the time in which widows shall make their election " ;

Which were agreed to ; and the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Englesby, from the Committee on the Judiciary to whom was recommitted House bill entitled

**H. 188.** An act to authorize the towns of Fairfax, Georgia, Cambridge, Fletcher and Waterville, to raise money to build a railroad ;

Reported back the same, with the original report, adversely to the passage of the bill, and the question being, Shall the bill be read the third time ? it was decided in the affirmative—yeas 14, nays 9.

Mr. Englesby having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Barrett,  
Crane,  
Cushman,  
Fish,  
Nichols,

Pennock,  
Reed,  
Richmond,  
Rublee,  
Smith,

Upham,  
Wallace,  
Williams,  
Wood—14.

Those senators who voted in the negative are Messrs.

Abbott,  
Allen,  
Bottum,

Clement,  
Dana,  
Englesby,

Flagg,  
Henry,  
Hobart—9.

So the third reading of said bill was ordered, and the bill was read the third time and passed in concurrence.

On the motion of Mr. Nichols, House bills entitled

**H. 218.** An act to establish the Vermont Agricultural College ;

**H. 14.** An act repealing an act therein mentioned ;

Were taken up ; and said bills were

*Ordered* to lie, and made the special order at half past two o'clock on Monday afternoon next.

Mr. Reed, from a committee of conference, submitted the following report :

*To the Honorable Senate :*

The committee of conference on the part of the Senate upon the disagreeing votes of the two Houses, upon the proposal of amendment of the Senate to House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes ;

Respectfully report that they have met the committee on the part of the House, and had a conference thereon ; and the committees of the Senate and House agree to substitute in lieu of the amendment proposed by the Senate, the following amendments to said bill :

*First.* Strike out all of section one, and in lieu of the same insert the following :

SEC. 1. If any person shall clandestinely or with intended secrecy commit any of the offenses described in sections thirty-eight and thirty-nine of chapter one hundred and thirteen of the General Statutes, such persons shall be subject to the penalties provided in section thirty-nine, and if any person shall commit any of said offenses openly and without intended secrecy, such person shall be subject to the penalties provided in said section thirty-eight.

*Second.* Strike out the title of said bill, and insert in lieu thereof the following :

“ An act to harmonize sections thirty-eight and thirty-nine of chapter one hundred and thirteen of the General Statutes, entitled ‘ Of offenses against private property.’ ”

All which is respectfully submitted,

CHARLES REED,	} Committee
STEPHEN P. FLAGG,	
WORTHINGTON C. SMITH,	
	on the part of
	the Senate.

The report was adopted on the part of the Senate.

Mr. Henry, from the Committee on Banks to whom was referred House bill entitled

H. 228. An act in relation to banks surrendering their charters upon becoming banking associations under the laws of the United States ;

Reported the same, recommending that the Senate propose to the House to amend by striking out section six, and substituting the following :

SEC. 6. Nothing in this act shall be construed as releasing such State bank or association from its obligation to pay and discharge all the liabilities incurred by the bank before becoming such national association ;



Which was agreed to; and the bill was read a third time and passed in concurrence, with a proposal of amendment.

Mr. Henry, for the Committee on Banks to whom was referred a resolution instructing the Committee on Banks to make certain inquiries, reported the same without an expression of opinion, and asked to be discharged from its further consideration; and the discharge asked was granted.

Mr. Wallace, from the Committee on Claims to whom was re-committed a bill entitled

S. 48. An act to pay John B. Holmberg the sum therein mentioned;

Reported adversely to its passage; and thereupon the engrossment and third reading of said bill was refused.

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 69. An act requiring of towns a general index to their records of deeds;

Reported in favor of its passage; and, on the motion of Mr. Barrett, the bill was

*Ordered to lie.*

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 108. An act to legalize the grand list of the town of Lemington for the year 1860;

Reported the same, without an expression of opinion; and thereupon the third reading of said bill was refused.

Mr. Reed, from the Joint Committee on the Library, reported a bill entitled

S. 72. An act appropriating an additional sum for the improvement of the State Library;

Which was read the first and second time, and

*Ordered to be engrossed, and read the third time on Monday afternoon next.*

Mr. Rublee, for a majority of the Committee on Finance to whom was referred House bill entitled

H. 174. An act granting State aid to the families of substitutes;

Reported adversely to its passage; and thereupon the third reading of said bill was refused.

Engrossed bill entitled

S. 60. An act to incorporate the Olin Hill Mining Company;

Was taken up, and the House proposal to amend in section three, line ten, after the word "directors," by inserting the words "and stockholders"; and in section three, line ten, by

striking out the words "assenting thereto," was concurred in.

Engrossed bill entitled

S. 63. An act to incorporate the St. Albans Aqueduct Company ;

Was taken up, and the House proposal to amend in section four, line one, by inserting after the word "pond" the following: "excepting Fairfield pond in the town of Fairfield," was considered ; and, on motion of Mr. Henry, the bill and proposal of amendment were

*Ordered* to lie, and be made the special order on Monday afternoon next at two and one-fourth o'clock.

Engrossed bill entitled

S. 53. An act to incorporate the Richmond Hotel Company ;

Was taken up, and the House proposal to amend by striking out section three and substituting the following :

"This corporation shall not contract debts to an amount exceeding one-half of the capital stock actually paid in, and if at any time the indebtedness of said corporation shall exceed the amount aforesaid, the directors and stockholders shall be personally liable to the creditors of said corporation for such excess," was agreed to.

Also in section five, line two, by striking out all after the word "legislature," and inserting in lieu the words "and shall be subject to the provisions of chapter eighty-six of the General Statutes, relating to private corporations" ; which was agreed to.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 247. An act in addition to an act to prevent raids ;

To the Committee on the Judiciary.

H. 245. An act to enable towns to fulfill certain contracts ;

H. 203. An act to repeal so much of chapter fifteen of the General Statutes, as relates to the election of sealers of weights and measures ;

H. 250. An act authorizing the Burlington Aqueduct Company to increase its capital stock ;

H. 252. An act to incorporate the Montpelier Hotel Company ;

H. 236. An act to incorporate the Governor Paine Slate Company ;

To the General Committee.

H. 246. An act to incorporate the Burlington Manufacturing Company ;

To the Committee on Manufactures.

H. 19. An act to amend section eighty-three of chapter

twenty-two of the General Statutes, entitled "Common schools and school laws";

To the Committee on Education.

H. 75. An act to equalize taxation, and to prevent frauds in the grand list;

To the Committee on Finance.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 71. An act prescribing the duties of county clerks in certain cases;

Reported in favor of its passage; and thereupon the bill was

*Ordered* to be engrossed, and read the third time on Monday afternoon next.

Mr. Fish, from the General Committee to whom was referred a bill entitled

S. 70. An act providing for the election of town officers, registration of votes, and to punish illegal voting, and in amendment of chapter fifteen of the General Statutes;

Reported adversely to its passage; and, on the motion of Mr. Chapman, the bill was

*Ordered* to lie.

Mr. Reed, for the Joint Committee on the Library, reported a bill entitled

S. 73. An act in addition to an act entitled "An act relating to the preservation of public documents," approved November 11, 1863;

Which was read the first and second time, and

*Ordered* to be engrossed, and read the third time on Monday afternoon next.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 43. An act to legalize the grand list of the town of Troy for the year 1864;

H. 105. An act to amend section twenty of chapter twenty-two of the General Statutes, relating to school districts;

H. 109. An act to pay Mitchell C. Morey the sum therein named;

H. 115. An act in amendment of chapter eighteen of the General Statutes, relating to burying grounds;

H. 118. An act for the preservation of fish in the waters of Lake Champlain within five miles of Sand Bar Bridge;

- H. 120. An act granting a ferry and wharf to Volney Rice ;
- H. 126. An act to incorporate the Rutland Insurance Company ;
- H. 145. An act to incorporate the Windsor Manufacturing Company ;
- H. 178. An act to legalize the grand list of the town of St. Albans for the year 1864 ;
- H. 179. An act to incorporate the Essex Lumber Company ;
- H. 185. An act to incorporate the Allen Kerosene Oil Can Company ;
- H. 186. An act to incorporate the Vermont Slate Manufacturing Company ;
- H. 194. An act to prevent the defacing of private property and natural objects by advertisements ;
- H. 196. An act to incorporate the Ascutney Railroad Company ;
- H. 204. An act regulating railroad corporations in certain cases ;
- H. 205. An act to determine the rights and powers of any corporation hereafter to be formed by the owners and holders of the first mortgage bonds of the Western Vermont Railroad Company ;
- H. 208. An act to pay for Gettysburg Cemetery, and provide commissioners therefor ;
- H. 220. An act to incorporate the First Congregational Society of Williamstown ;
- H. 221. An act in addition to chapter one hundred and thirteen of the General Statutes, entitled " Of offenses against private property " ;
- H. 222. An act to incorporate the Woodstock Gold Mining Company ;
- H. 223. An act restoring John T. Collins to his legal rights and privileges ;
- H. 224. An act in addition to chapter twenty-nine of the General Statutes, entitled " Of the court of chancery " ;
- H. 227. An act relating to State's attorneys ;
- H. 229. An act to pay N. A. Zuill the sum therein mentioned ;
- H. 234. An act in addition to chapter one hundred and twenty-six of the General Statutes, entitled " Of salaries, fees, &c." ;
- H. 258. An act to incorporate the Rutland and Castleton Railroad Company.

The House have considered the Senate proposals of amendment to House bill entitled

H. 23. An act to amend section six of chapter fifty-five of the General Statutes, entitled "Of estates in dower and by the curtesy";

And have concurred therein.

On the motion of Mr. Chapman, the Senate adjourned.

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MONDAY, NOVEMBER 21, 1864.

Prayer by the Chaplain.

Journal of Saturday was read and approved.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have appointed on their part as a committee on the joint resolution relating to final adjournment:

Mr. Rounds of Chester,

" Dorr of Rutland,

" Deane of Cavendish.

The House have considered Senate bills of the following titles:

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

S. 42. An act for organizing the militia;

And have passed the same in concurrence, with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 195. An act to amend section fifteen of chapter five of the General Statutes;

H. 239. An act to incorporate the Rutland County Slate and Tile Company;

H. 240. An act in amendment of chapter eighty of the General Statutes;

H. 256. An act relating to closing the affairs and redeeming and paying the bills or notes of the Franklin County Bank ;

H. 257. An act to incorporate the Perkinsville Hotel Company ;

H. 258. An act fixing the salary of the judges of the supreme court ;

In the passage of which the concurrence of the Senate is requested.

Mr. Chapman introduced a bill entitled

S. 74. An act for the appointment of State Geologist ;

Which was read the first and second time, and referred to the Committee on Education.

Mr. Hollister, from the Committee on Roads to whom was referred a bill entitled

S. 58. An act in amendment of chapter twenty-five of the General Statutes, in relation to the assessment and collection of highway taxes ;

Reported adversely to its passage.

Mr. Bottum moved to amend in section one, line seventeen, by striking out the word "repealed," and inserting the words "is hereby amended so as to allow a discount of twelve per cent. only, instead of the twenty-five per cent. as heretofore allowed."

On motion of Mr. Fish, the bill and pending amendment were *Ordered* to lie.

Mr. Crane, from the Committee on Military Affairs to whom was referred House bill entitled

H. 212. An act relating to the payment of town bounties to substitutes ;

Reported adversely to its passage ; and thereupon the third reading of said bill was refused.

House bills of the following titles, were severally read the first and second time, and referred, viz :

H. 256. An act relating to closing the affairs and redeeming and paying the bills, or notes, of the Franklin County Bank ;  
To the Committee on the Judiciary.

H. 258. An act fixing the salary of the judges of the supreme court ;

H. 195. An act to amend section fifteen of chapter five of the General Statutes ;

To the Committee on Finance.

H. 239. An act to incorporate the Rutland County Slate and Tile Company ;

H. 257. An act to incorporate the Perkinsville Hotel Company ;

To the General Committee.

H. 240. An act in amendment of chapter eighty of the General Statutes;

To the Committee on Banks.

Mr. Nichols, from the Committee on Military Affairs to whom was referred a bill entitled

S. 61. An act to repeal an act making provisions for the support of families of certain soldiers, approved April 26, 1861, and the amendments thereto;

Reported adversely to its passage; and thereupon the engrossment and third reading of said bill was refused.

Mr. Williams, from the Committee on Manufactures to whom was referred House bills entitled

H. 244. An act to incorporate the Connecticut River Valley Mining Company;

H. 246. An act to incorporate the Burlington Manufacturing Company;

Reported in favor of the passage of said bills; and thereupon said bills were severally read the third time and passed in concurrence.

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 256. An act relating to closing the affairs and redeeming and paying the bills or notes of the Franklin County Bank;

Reported in favor of its passage; and thereupon said bill was *Ordered* to be read the third time to-morrow morning.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 250. An act authorizing the Burlington Aqueduct Company to increase its capital stock;

Reported in favor of the passage of the same; and thereupon said bill was read the third time and passed in concurrence.

Mr. Chapman, from the Committee on Finance to whom was referred a bill entitled

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled "Grand list";

Reported in favor of its passage, recommending that the bill be amended in section one, line one, by inserting after the word "that," the words "the first subdivision of"; also, to insert in line seven of the bill, after the word "individuals," the words "or corporations"; which was agreed to; and the bill, as amended, was

*Ordered* to be engrossed and read the third time this afternoon.

Engrossed bill entitled

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list;

Was taken up, and the House proposal of amendment to fill the blank in section three, line nine, with the word "third," was concurred in.

Mr. Clark, from the Committee on Finance to whom was referred House bill entitled

H. 258. An act fixing the salary of the judges of the supreme court ;

Reported in favor of its passage, and recommending that the Senate propose to the House to amend in section one, by inserting after the word "dollars," in line three, "from December 1, 1864, to December 1, 1865 " ;

Which was agreed to ; and, on motion of Mr. Chapman, the twenty-first rule was suspended, and the bill was read the third time, and on motion of Mr. Clark, was

*Ordered to lie.*

Mr. Englesby, from the Committee on the Judiciary to whom was referred House bill entitled

H. 247. An act in addition to an act to prevent raids ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Rublee, from the Committee on Finance to whom was referred a bill entitled

S. 1. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list ;

Reported adversely to its passage ; and thereupon the engrossment and third reading of said bill was refused.

Mr. Tabor introduced a bill entitled

S. 75. An act relating to the bounty and back pay of deceased soldiers ;

Which was read the first and second time, and referred to the Committee on Military Affairs.

Mr. Chapman, from the Committee on Finance to whom was referred a resolution directing the Committee on Finance to inquire as to the necessity of further legislation in regard to taxing deposits in savings banks, reported that they do not consider any further legislation necessary, and ask to be discharged from its further consideration ; and the discharge asked was granted.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 286. An act to incorporate the Governor Paine Slate Company ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed in concurrence.

On the motion of Mr. Rublee, the Senate adjourned.



AFTERNOON.

Engrossed bills entitled

S. 17. An act to commute the sentence of John Burns;

S. 59. An act restricting the provisions of chapter sixty-eight of the General Statutes;

S. 72. An act appropriating an additional sum for the improvement of the State Library;

S. 73. An act in addition to an act entitled "An act relating to the preservation of public documents," approved November 11, 1863;

Were read a third time and passed.

House bill entitled

H. 156. An act to amend sections eighteen and twenty of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

Was read the third time, and its passage in concurrence refused.

House bill entitled

H. 228. An act in relation to banks surrendering their charters upon becoming banking associations under the laws of the United States;

Was read the third time and passed in concurrence, with a proposal of amendment.

Engrossed bill entitled

S. 42. An act for organizing the militia;

Was taken up, having been returned from the House of Representatives, with proposals of amendment, which are as follows:

*First.* To add to section five the following proviso: "*Provided*, that the adjutant and regimental quartermaster shall be appointed from the subalterns of the line, and that the brigade staff officers shall be appointed from the brigade officers below the rank of lieutenant colonel, and vacancies shall be thereby created"; which was adopted in concurrence.

*Second.* To strike out in section thirty-three, in lines one and two, the words, "obtain of the general government if it can be done free of expense to," and insert in lieu thereof the words; "furnish at the expense of"; and by inserting before the word "cap," in the second line, the word "uniform."

The question being, Will the Senate concur with the House

in its second proposal of amendment? it was decided in the negative—yeas 11, nays 15.

Mr. Nichols having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bottum,  
Clark,  
Clement,  
Crane,

Dana,  
Nichols,  
Richmond,  
Rublee,

Smith,  
Williams,  
Wood—11.

Those senators who voted in the negative are Messrs.

Abbott,  
Allen,  
Barrett,  
Chapman,  
Cushman,

Englesby,  
Fish,  
Henry,  
Hobart,  
Hollister,

Meacham,  
Pennock,  
Reed,  
Tabor,  
Wallace—15.

So the Senate refused to concur in the second proposal of amendment from the House of Representatives.

Mr. Chapman moved to reconsider the vote refusing concurrence with the House of Representatives in its second proposal of amendment; which was disagreed to.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills entitled

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes;

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes;

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes;

S. 50. An act in addition to chapter eighty-nine of the General Statutes;

And have passed the same in concurrence.

The House have passed a bill of the following title:

H. 241. An act to incorporate the City of Burlington;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposal of amendment to House bill entitled

H. 192. An act to pay certain State officers;

And have concurred in the Senate first proposal of amendment, but do not concur in the Senate second proposal of amendment.

The House have adopted on their part a joint resolution providing for the pay of certain officers and help,

In the adoption of which the concurrence of the Senate is requested.

The House have considered and adopted the report of the committee of conference on the disagreeing votes to Senate proposal of amendment to House bill entitled

H. 55. An act in amendment of section thirty-nine of chapter one hundred and thirteen of the General Statutes.

House bill entitled

H. 14. An act repealing an act therein mentioned;

Was taken up, being a special order at this time, and the following proposal of amendment reported by the committee as a substitute for section two:

"If any of the corporations named in the third section of said act have by their, or either of their, boards of trustees, or otherwise, passed any vote, or done any act, or made, or proposed to make, any transfer, grant or conveyance of any property, real or personal, or any rents, uses, rights, rights of action, immunities, privileges or franchises, or lost or impaired, changed or affected their, or either of their, corporate names, organization, rights, rights of action, privileges, immunities, successions, easements, or estates, under, or by virtue, or as the consequence, of the act hereby repealed, or by reason of any vote, act or thing passed, done or performed under the authority, or under color of the authority, of said act, every such corporation is hereby declared to be restored to, and reinstated in the full, complete and legal title, right and exercise of, to every intent and purpose, every name, organization, right, right of action, privilege, immunity, succession, easement, estate, property, rent, use and franchise, which such corporation had, enjoyed, used, possessed, or was in any wise entitled to, prior to, and at the time of, the passing of such vote, or doing of such act or thing, or making of such transfer, grant, or conveyance, or losing, impairing or affecting any such name, organization, right, right of action, privilege, immunity, succession, easement, or estate as aforesaid, in as full, legal, complete and perfect manner to every intent and to every purpose, as if said act, hereby repealed, had never been passed, and as if no vote, act or thing had ever been passed, done or performed by such corporation as aforesaid";

Was agreed to.

Mr. Richmond moved that when the Senate adjourn it adjourn to meet at seven o'clock this evening;

Which was agreed to.

On the motion of Mr. Richmond, the Senate adjourned.

## EVENING.

House bill entitled

H. 14. An act repealing an act therein mentioned ;

Was taken up as the unfinished business of the afternoon session. The question being, Shall the bill be read the third time ? it was decided in the affirmative—yeas 21, nays 8.

Mr. Smith having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
Barrett,  
Bottum,  
Chapman,  
Clark,  
Clement,  
Cushman,

Fish,  
Henry,  
Hollister,  
Kellam,  
Meacham,  
Nichols,  
Reed,

Richmond,  
Rublee,  
Tabor,  
Upham,  
Wallace,  
Williams,  
Wood—21.

Those senators who voted in the negative are Messrs.

Allen,  
Crane,  
Dana,

Englesby,  
Hobart,  
Hutchinson,

Pennock,  
Smith—8.

So the bill was ordered to be read the third time, and the bill was read the third time and passed in concurrence, with a proposal of amendment.

House bill entitled

H. 218. An act to establish the Vermont Agricultural College ;

Was taken up, being a special order at this time. Mr. Nichols moved to propose to the House to amend by adding section ten, as follows :

SEC. 10. This act shall be inoperative until said corporation shall have procured valid and solvent subscriptions to the amount of one hundred thousand dollars, to be applied to the endowment or other uses of said college ; and said corporation shall cease to exist on the 15th day of November, 1865, unless the foregoing subscriptions shall have been obtained ;

Which was agreed to.

Mr. Englesby moved that the Senate further propose to the House to amend by adding a section, to be numbered section eleven :

SEC. 11. This act shall be under the control of future legislatures to amend or repeal ;

Which was agreed to ; and the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Smith moved to propose to the House to amend in section four by striking out all after the word "act"; which was not agreed to.

Mr. Henry moved to propose to the House to amend by striking out the word "and," after the word "act"; which was disagreed to.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 15. An act to legalize the grand list of the town of Wolcott for the years 1860, 1861, 1862, 1863 and 1864;

H. 23. An act authorizing probate courts to extend the time in which widows shall make their election;

H. 50. An act to provide for the repairs of houses of public worship;

H. 55. An act to harmonize sections thirty-eight and thirty-nine of chapter one hundred and thirteen of the General Statutes;

H. 67. An act authorizing selectmen to build school houses;

H. 102. An act to increase the pay of grand and petit jurors;

H. 113. An act defining offenses against the government, and providing for their punishment;

H. 134. An act to prevent illegal voting, and in addition to chapter fifteen of the General Statutes;

H. 151. An act relating to appeals from probate courts;

H. 182. An act to incorporate the Tyson Iron Company;

H. 188. An act to authorize the towns of Fairfax, Georgia, Cambridge, Fletcher and Waterville, to raise money to build a railroad;

H. 189. An act to amend section thirty-two of chapter sixteen of the General Statutes;

H. 193. An act in addition to chapter eighty-three of the General Statutes, entitled "Of assessment and collection of taxes";

H. 213. An act in amendment of sections fifteen and eighteen of chapter one hundred and twenty-three of the General Statutes;

H. 217. An act in addition to chapter one hundred and twenty-six of the General Statutes;

H. 236. An act to incorporate the Governor Paine Slate Company;

H. 244. An act to incorporate the Connecticut River Valley Mining Company;

H. 246. An act to incorporate the Burlington Manufacturing Company;

H. 247. An act in addition to an act to prevent raids ;

H. 249. An act relating to the Atlantic and St. Lawrence Railroad ;

H. 250. An act authorizing the Burlington Aqueduct Company to increase its capital stock.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles ;

S. 38. An act in addition to chapter thirty-six of the General Statutes, entitled " Of depositions and witnesses " ;

S. 38. An act defining who shall be voters in town, city, village and school district meetings ;

S. 44. An act providing for printing the reports of certain State officers ;

S. 51. An act in amendment of an act to incorporate the Poultney Slate Company ;

S. 52. An act in addition to an act to incorporate the village of St. Johnsbury ;

S. 56. An act to incorporate the Rochester Soap Stone Company ;

S. 57. An act relating to the distribution of public documents ;

S. 60. An act to incorporate the Olin Hill Mining Company ;

S. 62. An act in amendment of an act to incorporate the village of St. Albans.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have refused to recede from the second proposal of amendment to Senate bill entitled

S. 42. An act for organizing the militia ;

And have voted to appoint a committee of conference on their part on the disagreeing votes of the two Houses, and to request the appointment of a similar committee on the part of the Senate.

The House have appointed as such committee on their part

Mr. Rounds of Chester,

" Wilson of Troy,

" Wheeler of South Hero,

" Dorr of Rutland,

" Robinson of Highgate.

The President appointed as the committee on the part of the

Senate, on the disagreeing votes of the two Houses on a bill entitled

S. 42. An act for organizing the militia ;

Senator Henry,  
 " Meacham,  
 " Tabor,  
 " Nichols,  
 " Rublee.

On the motion of Mr. Nichols, the vote refusing the engrossment and third reading of a bill entitled

S. 61. An act to repeal an act making provision for the support of families of certain soldiers, approved April 26, 1861, and the amendments thereto ;

Was reconsidered. The question being, Shall the bill be engrossed and read the third time ? it was decided in the negative—yeas 10, nays 18.

Mr. Williams having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
 Allen,  
 Clark  
 Cushman,

Fish,  
 Henry,  
 Hobart,

Hutchinson,  
 Rublee,  
 Williams—10.

Those senators who voted in the negative are Messrs.

Bottum,  
 Chapman,  
 Dana,  
 Kellam,  
 Meacham,

Nichols,  
 Pennock,  
 Reed,  
 Richmond,

Smith,  
 Upham,  
 Wallace,  
 Wood—13.

So the third reading of said bill was refused.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 67. An act in addition to chapter eighty-six of the General Statutes, entitled "Of private corporations" ;

And do not concur in the passage thereof.

The House have passed bills of the following titles :

H. 261. An act in amendment of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges;"

H. 262. An act requiring the Quartermaster General to submit his accounts for examination ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 241. An act to incorporate the City of Burlington ;  
To the General Committee.

H. 261. An act in amendment of chapter twenty-five of the General Statutes, entitled " Of repairs of highways and bridges " ;  
To the Committee on Roads.

H. 262. An act requiring the Quartermaster General to submit his accounts for examination ;

To the Committee on Finance.

House bill entitled

H. 192. An act to pay certain State officers ;

Was taken up, having been returned with non-concurrence in the Senate second proposal of amendment to said bill. On the motion of Mr. Nichols, the Senate voted to insist on its second proposal of amendment, and ask a committee of conference on the disagreeing votes of the two Houses.

The President appointed as the committee of conference on said bill

Senator Nichols,

" Pennock,

" Hollister.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

S. 68. An act to amend section six, chapter one, of the General Statutes ;

Reported the same, with an amendment as follows : Strike out all of section one and insert in lieu thereof the following :

" No citizen of the State who has heretofore removed, or shall hereafter remove from this State, or shall have resided in any sister state, foreign state, kingdom or government, shall, on his return therefrom, be admitted to vote in any freemen's meeting in this State, until he shall have resided within this State for the term of one full year next preceding the day of such freemen's meeting, and shall also have taken the oath of allegiance to this State, the oath to support the constitution of the United States, and the freemen's oath " ;

Which was agreed to ; and as amended the bill was

Ordered to be engrossed, and read the third time to-morrow morning.

A joint resolution from the House of Representatives, as follows :

*Resolved by the Senate and House of Representatives,*  
That the officers and help in and about the State House shall receive, for services during the present session, the same daily pay as the members of the Legislature shall receive ;



Was read, and, on the motion of Mr. Chapman, referred to the Committee on Claims.

Mr. Smith, from the Committee on Education to whom was referred a bill entitled

S. 74. An act for the appointment of a State Geologist ;  
Reported in favor of its passage ; and thereupon the bill was  
*Ordered* to be engrossed, and read the third time to-morrow morningt.

Mr. Nichols, for a majority of the Committee on Military Affairs to whom was referred a bill entitled

S. 75. An act relating to the bounty and back pay of deceased soldiers ;

Reported in favor of its passage ; and thereupon the bill was  
*Ordered* to be engrossed, and read the third time to-morrow morning.

Mr. Fish, from the General Committee to whom was referred House bills entitled

H. 239. An act to incorporate the Rutland County Slate and Tile Company ;

H. 257. An act to incorporate the Perkinsville Hotel Company ;

H. 252. An act to incorporate the Montpelier Hotel Company ;

Reported in favor of the passage of the same ; and thereupon said bills were severally read the third time and passed in concurrence.

Mr. Smith, from the Committee on Education to whom was referred House bill entitled

H. 19. An act to amend section eighty-three of chapter twenty-two of the General Statutes, entitled " Common schools and school laws " ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

Mr. Henry, from the Committee on Banks to whom was referred House bill entitled

H. 240. An act in amendment of chapter eighty of the General Statutes ;

Reported in favor of its passage ; thereupon said bill was read the third time and passed in concurrence.

Engrossed bills entitled

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled " Grand list " ;

S. 71. An act prescribing the duties of county clerks in certain cases ;

Were severally read the third time and passed.

Engrossed bill entitled

S. 63. An act to incorporate the St. Albans Aqueduct Company ;

Was taken up, and the pending proposal of amendment from the House was agreed to.

Mr. Dana, from the Committee on Claims to whom were referred bills entitled

S. 16. An act to pay Luman A. Drew the sum therein mentioned ;

S. 37. An act to pay Lemuel S. Drew, the sum therein mentioned ;

S. 54. An act to pay the town of Concord the sum therein mentioned ;

S. 55. An act to pay Silas Warren for services and expenses in arresting and bringing to punishment certain criminals therein named ;

Reported the same, without an expression of opinion ; and, on the motion of Mr. Dana, each of said bills was indefinitely postponed.

Mr. Pennock, from the Committee on Claims to whom was referred a joint resolution from the House, providing for the pay of certain State officers and help, reported the same, asking to be discharged from its further consideration ; and the discharge asked was granted.

Mr. Reed moved to propose to the House to amend by adding after the words " State House," the words " Assistant Librarians " ; which was agreed to.

And thereupon the resolution was disagreed to.

Mr. Richmond introduced the following joint resolution, which was read and adopted on the part of the Senate :

*Resolved by the Senate and House of Representatives,* That the Agent of the State be requested to inquire into, and report to the Legislature at its next session, the cause of the great disparity in the amount of money furnished for the support of families of enlisted men in the various towns in this State.

Mr. Fish, from the General Committee to whom was referred House bill entitled

H. 203. An act to repeal so much of chapter fifteen of the General Statutes as relates to the election of sealers of weights and measures ;

H. 245. An act to enable towns to fulfill certain contracts ;

Reported in favor of the passage of said bills ; and thereupon said bills were severally read the third time and passed in concurrence.

Mr. Clark, from the Committee on Finance to whom was referred House bill entitled

H. 75. An act to equalize taxation and to prevent frauds in the grand list;

Reported adversely to its passage; and thereupon the third reading of said bill was refused.

On the motion of Mr. Fish, a bill entitled

S. 58. An act in amendment of chapter twenty-five of the General Statutes, in relation to the assessment and collection of highway taxes;

Was taken up; and, on the motion of Mr. Hutchinson, was Ordered to lie.

On the motion of Mr. Clark, House bill entitled

H. 258. An act fixing the salary of the judges of the supreme court;

Was taken up. Mr. Clark moved to propose to the House to strike out section two; which was disagreed to.

Mr. Smith moved to reconsider the proposal of amendment to said bill made by the Committee of Finance; which was agreed to.

Thereupon the bill was read the third time; and the question being, Shall the bill pass? it was decided in the affirmative—yeas 15, nays 9.

Mr. Nichols having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Barrett,  
Bottom,  
Clark,

Clement,  
Dana,  
Hutchinson,  
Meacham,  
Nichols,

Pennock,  
Reed,  
Rublee,  
Smith,  
Wood—15.

Those senators who voted in the negative are Messrs.

Chapman,  
Cushman,  
Fish,

Hobart,  
Richmond,  
Tabor,

Upham,  
Wallace,  
Williams—9.

So the bill was passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 72. An act appropriating an additional sum for the improvement of the State Library;

And do not concur in the passage thereof.

The House have passed bills of the following titles:

H. 265. An act making provision for the support of government;

H. 266. An act making provision for military expenses;

In the passage of which the concurrence of the Senate is requested.

The House have adopted a joint resolution relating to a Joint Assembly,

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,* That both Houses meet in Joint Assembly to-morrow at ten and one-half o'clock in the forenoon, for the purpose of electing a Major General and three Brigadier Generals ;

Which was read, and, on the motion of Mr. Chapman,

*Ordered to lie.*

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 265. An act making provision for the support of government ;

H. 266. An act making provision for military expenses ;  
To the Committee on Finance.

On the motion of Mr. Reed, a joint resolution from the House asking Col. Wells, of the Vermont Cavalry, for a copy of a receipt of the property taken by him from the enemy at Cedar Creek, was taken up. Mr. Reed moved to propose to the House to amend by striking out the word "copy," and inserting in lieu thereof the word "original" ; which was agreed to.

Thereupon the resolution was adopted, with a proposal of amendment.

On the motion of Mr. Nichols, a joint resolution, from the House, of thanks to the people of Philadelphia, was taken up and adopted in concurrence.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 195. An act to amend section fifteen of chapter five of the General Statutes ;

Reported in favor of its passage ; and thereupon said bill was read the third time and passed, under a suspension of the twenty-first rule.

Mr. Rublee, from the Committee on Finance to whom was referred House bill entitled

H. 266. An act making provision for military expenses ;

Reported in favor of its passage ; thereupon said bill was read the third time, and passed in concurrence, under a suspension of the twenty-first rule.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 265. An act making provision for the support of government;

Reported in favor of its passage; and thereupon the bill was read the third time and passed in concurrence, under a suspension of the twenty-first rule.

On the motion of Mr. Richmond, the Senate adjourned.

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TUESDAY, NOVEMBER 22, 1864.

Prayer was offered by Rev. Pliny H. White, Chaplain, as follows:

OUR FATHER WHICH ART IN HEAVEN: We present ourselves once more before Thee—and for the last time in our organic capacity—to acknowledge our dependence, to implore Thy blessing, to praise Thee for Thy past mercies, and seek the favors we need in the present and the future. Look upon us mercifully, we entreat Thee, and listen graciously to our prayer, which we offer only in the prevailing name of Him who is our Mediator and Redeemer.

In obedience to the exhortations of Thy Holy Word “that, first of all, supplications, prayers, intercessions and giving of thanks be made for all that are in authority,” we present our petitions for those who are in authority over us. Bless the Chief Magistrate of this State. Strengthen him with Thy strength, bestow upon him of Thy wisdom, and enable him to execute all the laws, and administer all the affairs of the State faithfully, efficiently, and to the satisfaction and profit of the people. May he be the minister of God for good to those that do good, and a revenger to execute wrath upon him that doeth evil. Assist all the other officers of the State, executive, judicial, ministerial, and military, to perform the duties of their several offices with diligence, fidelity and success.

Bless the President of the United States. It has pleased Thee to call him to the Chief Magistracy in times of great difficulty and danger, which require extraordinary qualities of mind

and heart. We praise Thee that during his past official career, he has displayed those qualities to an eminent degree, and by his strong sense, his unimpeachable honesty and integrity, his steadfastness to principle, and his unwavering patriotism, he has commended himself so generally to the approbation, admiration and love of the people. We pray that Thou wouldst continue him in the possession and exercise of those qualities. Strengthen him to do his duty in every emergency, and make him the honored instrument of delivering the nation from all the dangers that encompass it.

Bless those who have the command of our armies in the field. Lead them on from victory to victory; crown all their battles with triumph, and enable them to plant the flag of the country, not a stripe erased or polluted, not a single star obscured, upon every stronghold, on every entrenched field and fortified city, where the enemies of the country shall raise the standard of rebellion. Restore, we beseech Thee, the happy days of peace, and may the nation learn, and have occasion to learn, war no more.

We render Thee thanks for Thy goodness to the General Assembly at the present session. By Thy care the lives of all its members have been preserved. Through Thy Providence nearly all of them have been kept in good health, in sound mind, and in cheerful spirits. Thou hast watched over them for good in all their ways. Thou hast suffered no serious harm to befall them or any of their interests, and they are to-day living monuments of Thy goodness and mercy. For all these Thy benefits we render Thee our tribute of gratitude and praise.

We invoke Thy blessing and a continuance of Thy favor during the brief remainder of the session. Preserve from any undue haste in dispatching the business that remains to be done, but may it be sufficiently considered and matured to secure perfection, as far as human legislation can be perfect. May all the laws of this session commend themselves to the common sense of the people, be heartily approved and cheerfully obeyed. Watch over the State during the year to come, preserve it from internal alarm and foreign invasion, and prosper all its interests as Thou hast in times past.

And when, after a few short hours, the session shall come to a close, and the members shall disperse to their respective homes, wilt Thou go with them as their guardian and guide, keep them from the dangers of the way, give them joyful meetings with the beloved ones at home, and inspire their hearts that they may spend a day of true thanksgiving unto the Lord; and though the

members of this General Assembly shall never again meet on earth, may they all through Thy rich grace in Jesus Christ be found at last members of "the General Assembly and Church of the first born which are written in Heaven."

And unto Thee who art "the blessed and only Potentate, the King of kings and Lord of lords, who only hast immortality," dwelling in the light which no man can approach unto, whom no man hath seen, nor can see, to Thee be honor and power everlasting. Amen.

On motion of Mr. Chapman, the reading of the journal of yesterday was dispensed with.

Mr. Henry, from the committee of conference, submitted the following report:

*To the Honorable Senate:*

Your committee of conference have met a similar committee of the House of Representatives, on the disagreeing votes of the two Houses on a bill entitled

S. 42. An act for organizing the militia;

And recommend the following:

*First.* In section four, line four, after the word "companies," add the words "the maximum to consist of"; and after the word "each," in line five, add the words, "the minimum to consist of fifty-one officers and men each"; and after the word "and," in line twelve, add the words "the minimum of."

*Second.* Restore section thirty three of the printed bill, and after the word "private," in line six, add the words, "for the minimum number only";

And when so amended, we recommend its passage.

H. H. HENRY, for Committee.

Mr. Henry, from the joint committee on the final adjournment of the General Assembly, presented the following joint resolution:

*Resolved by the Senate and House of Representatives,* That the fifteenth joint rule requiring the final adjournment of the General Assembly to be between the hours of two and nine o'clock in the afternoon be, and the same is, hereby suspended; and that the President of the Senate and the Speaker of the House declare the respective Houses over which they preside adjourned without day at eight o'clock on Wednesday morning, November 23d inst;

Which was read and adopted on the part of the Senate.

On the motion of Mr. Williams, the twenty-first rule of the Senate was suspended for the remainder of the session.

On the motion of Mr. Reed, a bill entitled

S. 69. An act requiring of towns a general index to their records of deeds;

Was taken up, read the third time and passed.

House bill entitled

H. 256. An act relating to closing the affairs and redeeming and paying the bills, or notes, of the Franklin County Bank ;

Was read the third time, and passed in concurrence.

Senate bills entitled

S. 68. An act to amend section six, chapter one, of the General Statutes ;

S. 75. An act in relation to bounty and back pay of deceased soldiers ;

Were severally read the third time and passed.

House bills entitled

H. 266. An act making provision for military expenses ;

H. 265. An act making provision for the support of government ;

Were severally read the third time, and passed in concurrence.

On the motion of Mr. Wood, Senate bill entitled

S. 70. An act providing for the election of town officers, registration of votes, and to punish illegal voting, and in amendment of chapter fifteen of the General Statutes ;

Was taken up, considered, and the third reading refused.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 71. An act prescribing the duties of county clerks in certain cases ;

S. 73. An act in addition to an act entitled " An act relating to the preservation of public documents," approved November 11, 1863 ;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 59. An act restricting the provisions of chapter sixty-eight of the General Statutes, entitled " Of estates of homestead " ;

And do not concur in the passage thereof.

The House have considered Senate proposals of amendment to House bills entitled

H. 14. An act repealing an act therein mentioned ;

H. 218. An act to establish the Vermont Agricultural College ;

And have concurred therein.

The House have appointed as the committee of conference on



their part, on the disagreeing votes to Senate proposals of amendment to House bill entitled

H. 192. An act to pay certain State officers for extra services;

Mr. Dorr of Rutland,  
" Barlow of St Albans,  
" Abbott of Windsor.

The House have passed a bill of the following title:

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State;

Was read the first and second time, and referred to the Committee on Military Affairs.

Mr. Abbott, from the General Committee to whom was referred House bill entitled

H. 241. An act to incorporate the City of Burlington;

Reported the same with proposals of amendment as follows: In section nine, line six, first clause, after the word "commissioner," insert the words "subject to the ordinances and by-laws of the city council"; also in section nine, line twelve, after the word "power," insert the words "subject to the ordinances and by-laws of city council";

Which were agreed to; and the bill was passed in concurrence, with proposals of amendment.

Mr. Hutchinson, from the Committee on Roads to whom was referred House bill entitled

H. 261. An act in amendment of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills entitled

S. 17. An act to commute the sentence of John Burns;

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled "Grand list";

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks;

And have passed the same in concurrence.

The House have considered Senate bill entitled  
S. 41. An act in amendment of section thirty-three, chapter fifteen, of the General Statutes, entitled "Of towns, town meetings, and town officers";

And do not concur in the passage thereof.

The House have adopted on their part a joint resolution relating to the pay of the Assistant Librarians,

In the adoption of which the concurrence of the Senate is requested.

On the motion of Mr. Henry, the House joint resolution, providing for election of military officers, was taken up. Mr. Henry moved to strike out the words "eleven o'clock," and insert in lieu thereof the words "two and one half o'clock this afternoon";

Which was agreed to; and the resolution adopted in concurrence, with a proposal of amendment.

On motion of Mr. Hutchinson, a bill entitled

S. 58. An act in amendment of chapter twenty-five of the General Statutes, in relation to the assessment and collection of highway taxes;

Was indefinitely postponed.

On the motion of Mr. Fish, House bill entitled

H. 98. An act restoring Henry D. Raymond to his legal rights and privileges;

Was taken up, considered, read the third time, and passed in concurrence.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted the report of the committee of conference on the disagreeing votes to the House second proposal of amendment to Senate bill entitled

S. 42. An act for organizing the militia.

Mr. Chapman, from the Committee on Finance to whom was referred House bill entitled

H. 262. An act requiring the Quartermaster General to submit his accounts for examination;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

Mr. Nichols, from a committee of conference, submitted the following report:

SENATE CHAMBER, }  
MONTPELIER, Nov. 22, 1864. }

The committee of conference on the part of the Senate beg

leave to report that they have had a free conference on the disagreeing votes of the two Houses on House bill entitled

H. 192. An act to pay certain State officers for extra services ;

And recommend that the word "two," in line two of the Senate second proposal of amendment, be stricken out, and the word "one" be inserted in lieu thereof; and that when so amended, the Senate concur with the House in the passage of said bill.

W. T. NICHOLS, for Committee.

• Which was adopted.

Mr. Nichols, from the Committee on Military Affairs to whom was referred House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State ;

Reported the same, without an expression of opinion, and asked to be discharged from its further consideration; and the discharge asked was granted.

Mr. Henry moved to propose to the House to amend by striking out all after the enacting clause, except sections one and nine.

Mr. Fish moved to amend the proposal of amendment by striking out all of the bill except sections one, eight and nine ; which was accepted by Mr. Henry.

Mr. Englesby moved to amend the amendment, by retaining in the bill the sixth section ;

Which was considered ; and pending the question, Shall the amendment to the proposal of amendment be adopted? on the motion of Mr. Tabor, the Senate adjourned.

## AFTERNOON.

Mr. Reed offered the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That the two Houses meet in Joint Assembly this afternoon, at three o'clock, to elect one Major General, and three Brigadier Generals ;

Which was read and adopted on the part of the Senate.

House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State ;

Was taken up as the unfinished business of the morning ses-

sion. The question being, Will the Senate agree to Mr. Englesby's amendment to Mr. Henry's proposal of amendment? it was disagreed to—yeas 6, nays 15.

Mr. Chapman having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Allen,  
Bottum,

Crane,  
Englesby,

Flagg,  
Wood—6.

Those senators who voted in the negative are Messrs.

Abbott,  
Chapman,  
Cushman,  
Fish,  
Henry,

Hobart,  
Hutchinson,  
Nichols,  
Reed,  
Richmond,

Smith,  
Tabor,  
Upham,  
Wallace,  
Williams—9.

So the amendment to the amendment was disagreed to.

The question recurring on the adoption of the proposal of amendment offered by Mr. Henry, it was adopted—yeas 22, nays 2.

Mr. Upham having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Bottum,  
Chapman,  
Clark,  
Clement,  
Crane,  
Cushman,

Englesby,  
Fish,  
Flagg,  
Henry,  
Hobart,  
Hutchinson,  
Meacham,

Nichols,  
Reed,  
Richmond,  
Smith,  
Tabor,  
Wallace,  
Williams—22.

Those senators who voted in the negative are Messrs.

Upham,

Wood—2.

So the amendment was adopted.

Mr. Smith moved to amend the first section by striking out the words "volunteer militia," and inserting in lieu thereof the word "any," and to change the words "regiments, batteries," from the plural to the singular number, so that they will read, "regiment, battery," &c. ;

Which was agreed to; and the bill, as amended, was read the third time and passed in concurrence with, a proposal of amendment.

On the motion of Mr. Chapman, a bill entitled

S. 22. An act to pay Thomas E. Powers the balance due him for superintending the reconstruction of the State House;

Was taken up. Mr. Chapman moved to amend the bill by substituting the following for section one :

That the judges of the supreme court shall appoint a board of commissioners, consisting of the Governor, Lieutenant Governor and Treasurer, to examine and adjust any claims that Thomas E. Powers may have against the State for services as superintendent of the reconstruction of the State House ;

Which was disagreed to; and thereupon the engrossment and third reading of said bill was refused.

Mr. Smith introduced the following joint resolutions, which were read, and unanimously adopted on the part of the Senate:

*Resolved by the Senate and House of Representatives, That* the General Assembly received with deep regret the announcement of the death of Hon. Erastus Fairbanks, of St. Johnsbury, late Governor of the State, and tender to the relatives of the deceased the assurance of their sympathy in the bereavement they have been called to sustain.

*Resolved, That* in the death of Governor Fairbanks, the State has lost a citizen eminent for his public and private virtues, possessing a character of the purest patriotism. Entrusted at the outbreak of the rebellion with the executive administration of the State, for many years identified with its most valued interests, and contributing largely to the prosperity of the State and community in which he lived,—the General Assembly thus publicly manifest their respect and esteem for the late Chief Magistrate of the Commonwealth, and a distinguished citizen.

*Resolved, That* these proceedings be communicated to the family of the deceased by the officers of the respective houses.

On the adoption of these resolutions, Senators Nichols and Englesby spoke as follows:

REMARKS OF SENATOR NICHOLS.

MR. PRESIDENT: In the life-time of public men, amid the shock of contending interests, views and parties, we little appreciate the sterling worth, the ability and the usefulness of those to whom we are most indebted;—but, Sir, when the sublime occasion, like the one which has called forth these resolutions, comes to our notice, we pause, and when all too late, appreciate the public loss.

The resolutions are but a fitting tribute to one whose long public life, his business enterprise and public benefactions, have made his name and fame a part of the pride and history of the State. Holding the executive office at the breaking out of this unholy rebellion, he devoted to the administration of that office all the ability, all the patriotism and energy which he possessed. And, Sir, in the discharge of the delicate duties which so suddenly and unexpectedly devolved upon him, when everything was new and untried in a military point of view, I believe every person in the State will award to his memory the meed of pure patriotism, great ability and honesty. But it is not alone in his public capacity that his name will long be remembered by the people of Vermont. By his business enterprise and fore-

sight, he has helped largely to build up a business centre and beautiful village, and connected it by a great public work which has built up other business centers along its whole line, with other connecting railroads, and thereby brought the sea-board and the mountain side by side. The development of the material interests of the State, which has caused the mountain stream to turn the busy spindle, and around the spindle caused the thriving and happy village to spring up, is a higher, a prouder monument to his memory, than any marble which can rise from the sculptor's chisel. In the more intimate relations of the immediate community in which his life and his usefulness were passed, his death will be a loss which we can appreciate, but not so keenly as those who held the relation of neighbor and personal friend. At a ripe age, full of years and full of honors, he goes down to the grave, respected and lamented, leaving an example which may well be imitated by the living; and, though dead, yet the worthy example, the developed results of an honest and active life, still speak his praise in more fitting terms than those of the living eulogist.

REMARKS OF SENATOR ENGBESBY.

MR. PRESIDENT : It is not within the province of the General Assembly, under ordinary circumstances, to notice in this manner the decease of a private citizen of the State. There are circumstances, however, when such action as is indicated in the resolutions now under consideration is peculiarly appropriate. Gov. Fairbanks has been long identified with the business interests of the State ; the Executive at the time when the rebellion, still unsubdued, commenced ; contributing by every means in his power, both as a private citizen and as an officer of the State, to the inauguration of those means by which it should be suppressed ; the people appreciated those efforts, and it is well fitting that this General Assembly should express in this manner that appreciation, and convey to the family of our respected fellow-citizen our sympathy in their bereavement.

I trust, Mr. President, that these resolutions will be adopted, and that, in this public manner, we shall express our esteem for him, who, in his life-time, illustrated the virtues of the active business man, the worthy citizen, the honest, capable executive officer,—in one word the *Christian Gentleman*.

A joint resolution from the House :

*Resolved by the Senate and House of Representatives,*  
That the assistants in the Library, C. W. Town and George W. Wing, be paid for their services during the present session, at the rate of two dollars per day ;  
Which was read and adopted.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered the joint resolution from the Senate, providing for a Joint Assembly to elect a Major General, and three Brigadier Generals ;

And have adopted the same in concurrence.

A message was received from the House of Representatives, by Mr. Smith, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 259. An act to facilitate proceedings under the treaty between the United States and Great Britain, relating to the apprehension and surrender of certain offenders ;

H. 260. An act to incorporate the Concord Mining Company ;  
In the passage of which the concurrence of the Senate is requested.

The hour having arrived for a Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Williams moved that when the Senate adjourn, it adjourn to meet at seven o'clock this evening ; which was agreed to.

Mr. Reed introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,*  
That the several acts and additions and amendments thereto passed during, and for the suppression of the present rebellion, shall be so construed that all non-commissioned officers, musicians and privates who are, have been, or hereafter may be in active service in the field, in any of the regiments, batteries or companies authorized, recruited and organized under the authorities of this State, shall be entitled to receive from the Treasury of this State, the sum of seven dollars per month while in the service of the United States ; *provided*, such persons are credited to the quota of this State on any call which has been, or shall hereafter be made ;

Which was read the first and second time, and adopted on the part of the Senate.

House bills of the following titles were severally read the first and second time, and referred, viz :

H. 259. An act to facilitate proceedings under the treaty between the United States of America and Great Britain respecting the apprehension and surrender of certain offenders ;

To the Committee on the Judiciary.

H. 260. An act to incorporate the Concord Mining Company ;  
To the Committee on Manufactures.

H. 264. An act repealing section one of an act approved April 26th, 1861;

To the Committee on Manufactures.

On the motion of Mr. Upham, the Senate adjourned.

### EVENING.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted the report of the committee of conference on the disagreeing votes to the Senate second proposal of amendment to House bill entitled

H. 192. An act to pay certain State officers for extra services.

The House have considered Senate bill entitled

S. 74. An act for the appointment of a State Geologist;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 241. An act to incorporate the City of Burlington;

And concurred therein.

The House have passed a bill entitled

H. 267. An act authorizing the Governor of the State to pay the expenses incurred for the defense of the frontier;

In the passage of which the concurrence of the Senate is requested.

Mr. Williams, from the Committee on Manufactures to whom was referred House bill entitled

H. 260. An act to incorporate the Concord Mining Company;

Reported in favor of its passage; and thereupon said bill was read the third time and passed in concurrence.

House bill entitled

H. 267. An act authorizing the Governor of the State to pay the expenses incurred for the defense of the frontier;

Was read the first and second time, the rule requiring its reference suspended, and the bill was read the third time and passed in concurrence.

Mr. Reed, from the Committee on the Judiciary to whom was referred a bill entitled

H. 259. An act to facilitate proceedings under the treaty be-



tween the United States of America and Great Britain, relating to the apprehension and surrender of certain offenders ;

Reported in favor of its passage ; and thereupon said bill was read the third time, and passed in concurrence.

On the motion of Mr. Reed, the vote adopting the joint resolution, relating to the pay of invalid soldiers, was reconsidered.

Mr. Reed moved to amend the resolution, by adding the following proviso : " And provided such persons shall have gone into active service in the field from their enlistment in the reserve corps " ;

Which was agreed to ; and the resolution, as amended, was adopted on the part of the Senate.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles, viz :

S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes ;

S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list ;

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes ;

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes ;

S. 50. An act in addition to chapter eighty-nine of the General Statutes ;

S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled " Grand list " ;

S. 17. An act to commute the sentence of John Burns ;

S. 71. An act prescribing the duties of county clerks in certain cases ;

S. 63. An act to incorporate the St. Albans Aqueduct Company ;

S. 53. An act to incorporate the Richmond Hotel Company ;

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks ;

S. 42. An act for organizing the militia.

Mr. Wood, from the Committee on Military Affairs to whom was referred House bill entitled

H. 264. An act repealing section one of an act approved April 26, 1861 ;

Reported adversely to its passage; and, on the motion of Mr. Fish, said bill was

*Ordered to lie.*

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 228. An act in relation to banks surrendering their charters upon becoming banking associations under the laws of the United States;

H. 256. An act relating to closing the affairs and redeeming and paying the bills, or notes, of the Franklin County Bank;

H. 239. An act to incorporate the Rutland County Slate and Tile Company;

H. 208. An act to repeal so much of chapter fifteen of the General Statutes, as relates to the election of sealers of weights and measures;

H. 195. An act to amend section fifteen of chapter five of the General Statutes;

H. 19. An act to amend section eighty-three of chapter twenty-two of the General Statutes, entitled "Common schools and school laws";

H. 265. An act making provision for the support of government;

H. 218. An act to establish the Vermont Agricultural College;

H. 14. An act repealing an act therein mentioned;

H. 258. An act fixing the salary of the judges of the supreme court;

H. 257. An act to incorporate the Perkinsville Hotel Company;

H. 266. An act making provision for military expenses;

H. 262. An act requiring the Quartermaster General to submit his accounts for examination;

H. 98. An act restoring Henry D. Raymond to his legal rights and privileges;

H. 261. An act in amendment of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges";

H. 245. An act to enable towns to fulfill certain contracts;

H. 252. An act to incorporate the Montpelier Hotel Company;

H. 240. An act in amendment of chapter eighty of the General Statutes.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered the Senate proposal of amendment to House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State ;

And have concurred in their first proposal of amendment, but do not concur in their second proposal of amendment.

On the motion of Mr. Englesby, the Senate voted to insist upon its second proposal of amendment to House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State.

On the motion of Mr. Fish, House bill entitled

H. 264. An act repealing section one of an act approved April 26, 1861;

Was taken up, considered, and the question being, Shall the bill be read the third time ? it was decided in the negative—yeas 4, nays 15.

Mr. Williams having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Allen,  
Fish,

Rublec,

Williams—4.

Those senators who voted in the negative are Messrs.

Abbott,  
Barrett,  
Cushman,  
Englesby,  
Hobart,

Hutchinson,  
Kellam,  
Nichols,  
Pennock,  
Reed,

Richmond,  
Tabor,  
Upham,  
Wallace,  
Wood—15.

So the third reading of said bill was refused.

On the motion of Mr. Nichols, a call of the Senate was made, and the following named senators were found absent : Messrs.

Abbott,  
Barrett,  
Crane,  
Cushman,  
Dana,

Englesby,  
Flagg,  
Henry,  
Hollister,

Kellam,  
Meacham,  
Pennock,  
Smith.

On the motion of Mr. Nichols, the Sergeant-at-Arms was directed to compel the attendance of the absentees.

On the motion of Mr. Chapman, further proceedings under the call were dispensed with.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposal of amendment to joint resolution, relating to the Vermont Cavalry ;

And have concurred therein.

The House have considered a joint resolution, from the Senate, construing certain acts therein mentioned, and do not concur in its adoption.

The House insist upon its disagreement to the Senate second proposal of amendment to House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State ;

And have appointed as a committee of conference on their part

Mr. Rounds of Chester,

“ Bullard of St. Johnsbury,

“ Wilson of Bakersfield,

And request the appointment of a similar committee on the part of the Senate.

On the motion of Mr. Englesby the Senate voted to adhere to its second proposal of amendment to House bill entitled

H. 233. An act to equalize town bounties, and to provide for their ultimate payment by the State.

Mr. Chapman moved that the Senate comply with the request of the House of Representatives for a committee of conference on said bill ; which was agreed to.

The President appointed as the committee of conference on the disagreeing votes of the two Houses on said bill,

Senator Henry,

“ Englesby,

“ Upham.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate, that he has approved and signed bills, originating in the Senate, of the following titles, viz :

S. 68. An act to amend section six, chapter one, of the General Statutes ;

S. 69. An act requiring of towns a general index to their records of deeds ;

S. 73. An act in addition to an act entitled “ An act relating to the preservation of public documents,” approved November 11, 1863 ;

S. 75. An act relating to the bounty and back pay of deceased soldiers.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the

Governor has approved and signed bills, originating in the House, of the following titles, viz :

H. 259. An act to facilitate proceedings under the treaty between the United States of America and Great Britain, relating to the apprehension and surrender of certain offenders ;

H. 260. An act to incorporate the Concord Mining Company ;

H. 267. An act authorizing the Governor of the State to pay the expenses incurred for the defense of the frontier.

The House have considered a joint resolution, from the Senate, relating to the death of Ex-Governor Erastus Fairbanks ; also

A joint resolution instructing the State Agent for furnishing State aid to soldiers' families to make certain inquiries and report to the next General Assembly,

And have adopted the same in concurrence.

Senator Richmond introduced the following resolution :

*Resolved*, That the thanks of the Senate are due and are hereby tendered to the Hon. Paul Dillingham, President of the Senate, for the ability, eminent impartiality and dignity manifested by him in the discharge of his various duties during the present session,

Which was unanimously adopted, each senator rising in his place and voting for the resolution.

Mr. Chapman introduced the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of the Senate are hereby tendered to their Secretary and Assistant Secretary, for the untiring industry, fidelity, and devoted attention to the various duties devolving upon them in the discharge of their official trusts during the present session.

On the motion of Mr. Chapman the Senate took a recess for twenty minutes. The President having resumed the chair,

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate, that he has approved and signed a bill, originating in the Senate, of the following title :

S. 74. An act for the appointment of a State Geologist.

On the motion of Mr. Smith, the Senate took a recess for fifteen minutes. The President having resumed the chair,

Mr. Williams, from the Committee on Bills, presented the following report :

*To the Senate now in session :*

Your Committee on Bills have presented to the Governor for his

approval and signature bills originating in the Senate of the following titles :

- S. 6. An act in relation to costs before referees ;
- S. 11. An act in amendment of an act to incorporate the Mount Mansfield Hotel Company, approved November 6, 1863 ;
- S. 12. An act in addition to an act to incorporate the Brandon Iron and Car Wheel Company, approved November 18, 1851, and the act in addition thereto ;
- S. 13. An act to incorporate the Rutland Manufacturing Company ;
- S. 2. An act in amendment of section eleven, chapter twenty, of the General Statutes, entitled " Of the support and removal of paupers, and the relief of the insane poor " ;
- S. 4. An act in relation to the bounty and pay of soldiers, and the support of their families ;
- S. 5. An act to amend section twenty-seven of chapter eighty-four of the General Statutes ;
- S. 7. An act to amend section one hundred and nineteen of the General Statutes, entitled " Of offenses against public policy " ;
- S. 10. An act to provide for the recording of stamps of the United States internal revenue ;
- S. 15. An act extending the charter of the Stark Bank ;
- S. 17. An act to commute the sentence of John Burns ;
- S. 18. An act incorporating the Bennington and Glastenbury Railroad, Mining and Manufacturing Company ;
- S. 19. An act to authorize towns to prepare and publish a soldiers' record ;
- S. 20. An act continuing the charter of the Bank of Poultney ;
- S. 21. An act relating to the sale of real estate, including the homestead, by executors and administrators, and in amendment of chapter fifty-two of the General Statutes ;
- S. 24. An act in addition to chapter eighty-three of the General Statutes, in relation to the grand list ;
- S. 25. An act in amendment of section six of chapter eighty-three of the General Statutes, entitled " Grand list " ;
- S. 26. An act to incorporate the Brandon Kaolin Paint Company ;
- S. 28. An act to incorporate the Brandon Silver Lead Company ;
- S. 29. An act to incorporate the Factory Point Boot and Shoe Company ;
- S. 80. An act to incorporate the Mendon Marble Company ;

S. 31. An act amending section twelve, chapter one hundred twenty-six, of the General Statutes ;

S. 32. An act in amendment of chapter sixty-three, section twenty-five, of the General Statutes, entitled, "Of the limitations of real and personal actions, and rights of entry" ;

S. 36. An act increasing the capital stock of the Lamoille County Bank ;

S. 39. An act to incorporate the Poultney Hotel Company ;

S. 40. An act to incorporate the Poultney Normal Institute ;

S. 42. An act for organizing the militia ;

S. 43. An act in addition to chapter ninety-four of the General Statutes, relating to the sale of intoxicating drinks ;

S. 45. An act in amendment of section twenty-four of chapter thirty-six of the General Statutes ;

S. 47. An act to amend sections sixty-five and sixty-six of chapter eighty-nine of the General Statutes ;

S. 50. An act in addition to chapter eighty-nine of the General Statutes ;

S. 53. An act to incorporate the Richmond Hotel Company ;

S. 56. An act to incorporate the Rochester Soap Stone Company ;

S. 63. An act to incorporate the St. Albans Aqueduct Company ;

S. 68. An act to amend section six, chapter one, of the General Statutes ;

S. 69. An act requiring of towns a general index to their records of deeds ;

S. 73. An act in addition to an act entitled "An act relating to the preservation of public documents," approved November 11, 1863 ;

S. 74. An act for the appointment of a State Geologist ;

S. 75. An act in relation to bounty and back pay of deceased soldiers.

W. W. WILLIAMS, } Committee.  
L. H. TABOR, }

Mr. Englesby moved that when the Senate adjourn it adjourn to meet at eight o'clock to-morrow morning, which was agreed to.

Mr. Hutchinson introduced the following resolution, which was read and adopted :

*Resolved*, That the Secretary of the Senate be directed to inform his Excellency, the Governor, and the House of Representatives, that the Senate on their part have completed the business of the session, and are ready to adjourn without day.

The Secretary informed the Senate that he had waited on his

Excellency, the Governor, and he would immediately communicate with Senate.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have refused to adopt the report of the committee of conference on House bill entitled

H. 233. An act to equalize town bounties and provide for their ultimate payment by the State ;

And have voted to adhere to the Senate second proposal of amendment.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor, to inform the Senate, that he has received their communication, that they have on their part completed the business of the session, and that he has no further communication to make to them.

A message was received from the House of Representatives, by Mr. Houghton, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have completed on their part the business of the session and are ready to adjourn without day.

Mr. Englesby moved that the Senate adjourn.

Lieutenant Governor Dillingham, before stating the question, addressed the Senate in his accustomed happy and feeling manner, returning his acknowledgments for the kind and complimentary resolution adopted by them, and wishing them a happy return to their several homes.

The Senate then adjourned.



WEDNESDAY, NOVEMBER 23, 1864.

The President declared the Senate adjourned without day.

Attest,

HENRY CLARK, *Secretary*.



# APPENDIX.



# APPENDIX.

## TREASURER'S REPORT—STATE FINANCES.

(Referred to on Page 15 of the Journal.)

### To the Auditor of Accounts:

Sir:—I submit herewith a statement of the transactions of the Treasury Department for the past fiscal year, with a report of the condition of the State Finances at this date, with such explanations as seem necessary for a correct understanding of the business of this office.

Receipts during the year,	\$2,327,527 66
Balance, September, 1863,	122,433 75

Disbursements during the year,	2,449,961 41
	2,025,864 85
Balance, September 5th, 1864,	\$424,096 56

The general statement of receipts is as follows :

State Bonds issued during the year,	\$295,000 00
Tax on Foreign Bank Stock,	4,658 28
Railroad and Bank Commissioners' salary,	1,133 50
Sums paid by County Clerks,	16,438 76
Fees paid by Judges of Probate,	8,368 15
Agricultural College Fund, balance,	43 30
Fees paid by the several Boards of Medical Examiners,	2,462 00
Sums repaid by sundry persons,	13,924 56
Release of sureties of H. M. Bates,	2,300 00
Taxes collected,	960,780 96
Interest on Taxes, and interest and premium on Bonds,	17,453 05
Recruiting Fund, to credit of General Washburn,	354,796 83
Temporary Loan under act of 1863,	99,000 00
Temporary Loan under act of 1863,	264,000 00
Allotted U. S. Pay transmitted by Paymasters,	267,168 27

Total,	\$2,327,527 66
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And the disbursements are,	
Debentures of General Assembly, 1863,	\$25,908 00
Salaries,	28,425 00
Court and Auditor's Orders,	103,104 71
Warrants drawn by the Governor,	94,296 69
Extra pay to soldiers after muster into U. S. service,	729,487 94
Commutation of extra pay, under act of 1863,	154,875 00
Advanced G. F. Davis, Quartermaster General, by direction of the Governor,	32,500 00
Recruiting Fund, General Washburn's orders,	62,018 75
U. S. Surplus Fund, paid sundry towns,	322 21
Bear certificates,	250 00
Board of Education,	3 592 65
Temporary Loan of 1862, paid,	111,000 00
Temporary Loan of 1863, paid,	244,000 00
Special Appropriations, by act of Legislature,	7,454 68
Interest on Bonds and Loans,	108,214 77
Soldiers' Allotments distributed,	315,413 85
Total,	\$2,025,864 85

The classification of receipts and expenditures is, as nearly as possible, as follows :

### RECEIPTS.

State Bonds,	\$295,000 00
Taxes,	980,780 96
Soldiers' Allotments,	267,168 27
Agricultural College Fund, balance,	43 30
Sureties of H. M. Bates,	2,300 00
Recruiting Fund, balance,	293,778 08
Temporary loan, more than paid,	8,000 00
Balance, September, 1863,	122,433 75
	\$1,968,504 36

### EXPENDITURES.

Ordinary Expenses,	\$140,997 16
War Expenses,	997,235 07
Soldiers' Allotments,	315,413 85
Balance Interest account,	90,761 72
Balance on hand,	424,096 56
	\$1,968,504 36

### LOANS.

The act of 1863 authorized the borrowing of \$500,000 00, called in this report Temporary Loan. Under this act \$264,000 00 in notes have been issued, which have been paid from proceeds of taxes, except \$20,000 00 not yet due.

There can yet be issued \$236,000 00, which will be required under ordinary circumstances before the 1st of December next.

State Bonds issued the current year are, under act of 1862,

Due in fourteen years from 1st December, 1862,	\$45,000 00
Due in twelve years from 1st December, 1862,	250,000 00

Total, \$295,000 00

Of the twelve-year Bonds, there has been deposited in this Department, \$124,500 00, issued at par on account of the Agricultural College Fund, the balance, \$170,500 00, having been sold to the best advantage after advertisement in the papers in this State and Boston, Mass.

The sum realized as premium, and for interest accrued since payment of last coupon, is \$15,807 32. The premium will average about six per cent., and but few bonds have been sold at less than four per cent premium. There is yet authority to issue \$250,000 00 in bonds under act of 1862. These bonds are prepared, payable in sixteen years from 1st December, 1862, and can be issued as required.

### RECRUITING FUND.

Under general orders issued by his Excellency, the Governor, authorized by act of Congress, the towns have deposited during the month of August to the credit of Adjutant and Inspector General Washburn, general recruiting agent, the sum of \$334,600 00

Sub-Agents have repaid funds advanced, and not used,	20,196 83
	354,796 83
Drawn by General Washburn, on orders to Sub-Agents,	62,018 75

\$292,778 08

It is expected that this balance will be withdrawn within a few days, in repayment to towns, and thus reduce the balance of funds on hand.

## TAXES.

In calling your attention to the account of State Taxes, allow me to suggest as one reason why so small a sum (\$3,411 86) remains unpaid is the repeal, last session, by the Legislature, of the act allowing until October for payment of the tax on non-resident lands. Promptness in payment of taxes is very desirable, and I strove to be able to report, this year that the taxes assessed were all paid, but notwithstanding my efforts, three towns, viz: Bristol, Roy-alton and Winhall, are in arrears, and I have been compelled to issue extents for the amount due.

## EXTRA PAY.

The payments for Extra Pay are,	
For sums due <i>previous</i> to muster,	\$17,365 40
For sums due <i>after</i> muster,	729,187 94
For commutation, under act of last session,	315,875 00
Total,	<u>\$901,628 34</u>

## ALLOTMENTS.

Received from U. S. Paymasters,	\$267,168 27
Balance due soldiers, per Report 1863,	174,718 25
Balance due 2nd Regiment before muster, per Report 1863,	529 80

Paid on orders and receipts of soldiers and assignees,	<u>442,416 32</u>
	315,413 85

Due to soldiers on demand,	<u>\$127,002 47</u>
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The amount received on allotments is less than last year, owing to the expiration of terms of enlistment, and also on account of the large amounts of back pay unpaid by Government at this date. It will be seen from the foregoing that the payments made by this Department on account of extra pay and allotments, amount to \$1,217,042.19. I estimate that there are over one hundred thousand vouchers for these payments, and in transmitting the money 19,140 checks on banks have been drawn.

## AGRICULTURAL COLLEGE FUND.

Having been authorized and directed by the agents appointed under the act of the Legislature, to proceed with the sale of Scrip received under act of Congress, it was effected during last March and April, with the following results:

Proceeds of sale of 937 scrip, 160 acres each,	\$122,626 40
Coupons due on Bonds, 1st June, 1864,	<u>3,615 00</u>

For State Bonds issued in March and April,	\$126,241 40
Interest accrued on same,	<u>\$124,500 00</u>
Balance,	1,696 10
	43 30

\$126,241 00

The foregoing refers only to the business of the current year; when taken in connection with past years, a general statement of State Finances, at this date, is as follows:

## FUNDED LIABILITIES.

Loan for Bonds due 1st June, 1871,	\$900,000 00
Loan for Bonds due 1st December, 1874,	250,000 00
Loan for Bonds due 1st December, 1876,	250,000 00
Due Banks Safety Fund,	13,125 00
Due Towns, U. S. Surplus Fund,	<u>12,276 41</u>

\$1,425,401 41

## CURRENT LIABILITIES.

Loan of 1859, due 21st of November,	\$75,000 00
Loan of 1857, past due,	500 00
Loan of 1863, due 1st October,	9,000 00
“ “ 1st November,	7,000 00
“ “ 1st January,	4,000 00
County Treasurers, tax on Non-Resident Stock,	4,658 28
Due Recruiting Fund,	<u>292,778 08</u>
“ Allotments,	127,002 47
“ Agricultural College Fund,	43 30
Estimated balances due for extra pay,	<u>125,000 00</u>
	<u>\$644,982 13</u>

## CURRENT RESOURCES.

Balance in Treasury,	\$424,096 56	
Due on tax of 1863,	5,441 85	
		<u>429,538 42</u>
Excess of current liabilities,		\$215,443 71
The estimated current expenses are,		
Extra pay of \$7 per month,	775,007 00	
Ordinary State expenses,	150,000 00	
Interest on Loans and Funded debt,	120,000 00	
		<u>\$1,260,443 71</u>
Deduct bonds authorized in 1862, and not issued,		250,000 00
		<u>\$1,010,443 71</u>
To be provided for by tax or loans,		
Nothing has been received the past year on account of amount due from the United States, referred to in a former report.		
In closing this my fourth annual report, it may not be improper for me to say, that, with the termination of the official term to which the generous suffrages of the freemen of the State have re-elected me, it is my purpose to give over the seals of office to such person as may be selected my successor.		

J. B. PAGE, *Treasurer.*

Treasurer's Office, Rutland, September 5th, 1864.



**REPORT OF JOHN HOWE, JR., RELATIVE TO STATE AID FOR  
SOLDIERS' FAMILIES IN VERMONT.**

**FROM SEPTEMBER 1, 1863, TO SEPTEMBER 1, 1864.**

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*(Referred to on Page 17 of the Journal.)*

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*To his Excellency, John Gregory Smith :*

Herewith is respectfully submitted a report of the expenditures for State Aid to the families of our soldiers, under the "Act to provide for the families of the citizens of Vermont mustered into the service of the United States," approved April 26, 1861, and the "Act explanatory of certain acts providing for the support of families of soldiers," approved November 14, 1862.

For details of the system of management pursued in all matters relating to these expenditures, I respectfully refer to my Reports of 1862 and 1863, as they embrace all the points of general interest.

The accounts herewith submitted cover all expenses from September 1, 1863, to September 1, 1864. There are no valid unsettled claims within my knowledge.

*Statement by Towns of all Agents appointed; average number of families, and number in the families, aided one month; with total amount of aid from September 1, 1863, to September 1, 1864, giving average per family and per head per month, with the number of months the families were aided.*

Towns.	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of Aid.	Average per family per month.	Average per head per month.	Months aided.
Addison	J. W. Strong	1	4 3-4	\$60 00	\$15 00	\$3 15	4
Arlington	Levin Hard						
Athens	Charles Whitney						
Bridgport	John B. Huntley	3	16 2-10	235 00	8 54	1 57	10
Bristol	G. A. Collamer	1 1-3	8 1-3	39 00	9 75	1 56	3
Bennington	Perez Harwood	19 2-12	73 9-12	1103 49	4 80	1 24	12
Burke	Charles C Newell	1	2	12 00	12 00	6 00	1
Bolton	J. H. Whitcomb	1 1-2	6 1-2	27 24	9 08	2 09	2
Burlington	Henry Loomis	10 5-6	45 2-6	700 00	5 38	1 29	12
Brighton	S. D. Hobson						
Bakersfield	N. F. Wood						
Bradford	Jonathan Johnson	1	2	53 00	53 00	26 50	1
Braintree	S R Batchellor	4	14 5-10	249 32	6 23	1 72	10
Brookfield	Wm. E. Chamberlain						
Barton	F. S. French	1 1-5	7 4-5	49 25	8 21	1 96	5
Brownington	Daniel H. Austin	39-12	13 5-6	411 00	9 13	2 47	12
Brandon	Robert Forbes	12 4-6	60 5-12	1782 34	11 72	2 46	12
Barre	Charles Q. Reed	4 3-6	18 5-12	327 50	6 06	1 46	12
Berlin	J. W. Wheelock	2	18	100 00	12 50	1 92	4
Brattleboro	N. B. Williston						
Barnard	Solon Danforth						
Bethel	George Francis						
Bridgewater	Charles S. Raymond	1 3-8	7 8-5	98 58	8 96	1 61	8
Cornwall	Charles D. Lane	1	8	39 25	19 62	6 54	2
Charlotte	Christian Van Vleet						
Colchester	Charles F. Storrs	2 1-2	12	45 24	9 05	1 88	
Canaan	Wm. Rich						
Cambridge	E. N. Bennett	1 1-3	8 2-3	38 77	9 69	1 49	3
Corinth	R. Richardson	1	5 5-6	216 59	19 69	3 33	11
Charleston	E. C. Richards						
Coventry	Loren Soper	1	6	41 61	13 87	2 31	3
Craftsbury	James A. Paddock	1	4	25 00	25 00	6 25	1
Castleton	Hyde Westover	1 5-6	6 5-11	147 83	7 04	2 08	11
Chittenden	Hiram Baird	1	4	14 06	7 03	1 78	2
Clarendon	H. Hodges	2 7-11	14 7 11	118 73	4 09	75	11
Cabot	Benj. F. Scott	1 1-3	6 1-3	90 14	5 03	1 06	3
Calais	Alonzo Pearce	1 5-9	6	118 60	8 47	2 20	9
Cavendish	Samuel L. Thompson						
Chester	D. A. Sherwin						
Dorset	Hiram Holley						
Danville	Charles F. Weeks	1 4-9	6 8-9	128 26	9 86	2 67	9
Derby	Alvin Robbins	1 8-9	10 1-9	172 95	10 17	1 90	9
Danby	H. Dillingham						
Duxbury	H. S. Comings	3 4-12	16 5-6	157 27	3 93	78	12
Essex	T. W. R. Nichols	1	6 5-10	56 39	5 64	86	10
East Haven	Abram S. Howard						
Eden	Norris M. Darling	4 8-11	9 8-11	165 00	8 68	1 54	11
Elmore	Levi H. Doty	2 1-12	9 7-12	308 48	12 34	2 68	12
East Montpelier	John G. Putnam	1	5	12 00	12 00	2 40	1
Ferrisburgh	Carlos C. Martin	1 1-9	7 3-9	107 00	10 70	1 62	9
Fairfax	Reuben Dewey						
Fletcher	Luther Wells						
Franklin	Vincent Horskins						
Fairhaven	Joseph Adams	1 9-10	8 4-10	201 07	10 58	2 39	10
Fayston	Samel Somerville	2	10 1-2	58 36	13 34	2 54	2
Goshen	Charles Washburn	1	9	21 00	7 00	78	3
Groton	J. B. Darling	1	3	14 48	14 48	4 63	1

Towns.	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of Aid.	Average per family per month.	Average per head per month.	Months aided.
Georgia	Moses Wightman	1	5	70 00	23 33	4 67	3
Grafton	Henry Holmes						
Guilford	Samuel L. Hunt						
Hinesburgh	E. B. Baldwin	1	2	10 00	10 00	5 00	1
Huntington	Henry Brewster						
Highgate	Z. K. Drury	13-8	9 1-8	60 00	5 45	82	8
Hydepark	Alonzo Cobleigh	2 4-10	14 9-10	283 50	11 81	1 90	10
Halifax	Martin Scott, 2d	1	3	12 50	4 17	1 39	3
Hartford	Benjamin Porter	2 9-11	12 4-11	179 00	5 80	1 31	11
Hartland	Albert B. Burke						
Iræburgh	Thomas Jameson	5 8-9	33 4-9	309 28	5 83	1 03	9
Jericho	L. L. Lane	1	6	51 55	27 25	4 55	2
Johnson	Alexander Riddle						
Jay	David Johnson						
Jamaica	Rev. Robert Myers						
Leicester	Albert E. Stanley						
Lincoln	Charles E. Varney	1 1-5	3 3-5	33 00	5 50	1 83	5
Landgrove	Calvin P. Mead						
Lyndon	G. J. Bundy	1	7	21 09	7 03	1 00	3
Lunenburg	Hiram A. Cutting						
Lowell	Amasa Paine	3	12	128 02	14 22	3 55	3
Ludlow	F. C. Robbins	2 5-12	8 3-12	228 00	7 86	2 30	12
Middlebury	Calvin Hill	5 3-12	14 3-12	247 75	3 93	1 45	12
Monkton	Daniel S. Ladd	4 2-12	18 8-12	414 30	8 88	1 93	12
Manchester	Major Hawley						
Maidstone	D. H. Beattie						
Morristown	G. W. Hendee	4 5-9	15 4-9	257 50	6 28	1 85	9
Morgan	Samuel Lord	1 1-2	6	86 80	28 93	7 23	2
Mendon	Ezra Edson						
Mount Holly	Samuel Hemenway	2	11	70 00	5 83	1 03	6
Mount Tabor	L. P. Howe						
Marshallfield	Andrew English						
Middlesex	Wm. D. McIntyre	1 9-10	8 8-10	98 50	5 18	1 12	10
Montpelier	Joel Foster, Jr.	6 1-12	32 8-12	410 00	5 61	1 05	12
Moretown	Austin C. Winship	1 3-7	5 1-7	116 21	11 62	3 23	7
New Haven	Henry C. Hunt	1 2-6	5	68 82	8 60	2 29	6
Newark	David F. Johnson	1	6	14 00	14 00	2 34	1
North Hero	Elijah Haynes						
Newbury	Henry W. Bailey	1	4 8-9	203 00	22 22	4 53	9
Newport	Luther Baker						
Northfield	Hosea Clark	5 1-10	23 8-10	384 34	7 53	1 61	10
Newfane	E. C. Walker	1	4 1-3	13 76	4 59	1 06	3
Norwich	Wm. E. Lewis	1 3-4	6	23 00	3 28	96	4
Orwell	Dan. Goodell	1	5	15 00	15 00	3 00	1
Orange	Samuel Kimball	1	2	14 00	14 00	7 00	1
Panton	Horatio N. White	1	3	8 72	8 72	2 91	1
Pownal	Elijah Barton						
Pawlet	Henry H. Smith	1 1-2	6	51 50	18 35	4 59	2
Pittsford	M. C. Bogue	3	10	106 00	7 07	2 12	5
Poultney	Henry Clark	1	7	15 00	15 00	2 14	1
Plainfield	Dennis Mould						
Putney	John Kimball	1 2-3	4 1-3	42 50	8 00	3 27	3
Plymouth	Thomas Moore						
Pomfret	Albro E. Perkins						
Peru	F. P. Batchellor						
Ripton	C. P. Ripley						
Rupert	Henry Sheldon						
Ryegate	Wm. Whitelaw	1	7	57 00	8 14	1 16	7
Richmond	Nathan Fay	1	4	20 00	20 00	5 00	1
Richford	A. W. Sears						
Randolph	Bradford Tewksbury	2 9-12	18 5-12	367 74	11 14	1 66	12
Rutland	G. P. Hannum	15 6-12	74 8-12	1546 11	8 31	1 72	12
Rockingham	A. S. Campbell	2 5-12	11 1-12	228 60	9 95	2 17	12
Reading	H. H. Hammond						
Rochester	Artemas Cushman						
Royalton	Calvin Skinner						
Roxbury	Wm. B. Orcutt	8 2-12	35 9-12	770 86	7 86	1 80	12

Towns	Agents.	Average No. of families per month.	Average No. in family per month.	Amount of Aid.	Average per family per month.	Average per head per month.	Months aided.
Salisbury	Albert M. Evarts						
Shoreham	Joseph M. Bishop						
Starksboro	Ira Bushnell	13-7	62-7	61 00	6 10	1 39	7
Sandgate	Reuben Hard						
Shaftsbury	Hiram Barton	14-6	82-6	33 80	3 38	68	6
Sunderland	Jerome Hill						
St. Johnsbury	John Bacon	12 1-12	56 5-6	1230 27	8 48	1 80	12
Sheldon	R. J. Saxe	1	7	19 00	6 23	90	3
St. Albans	Joseph D. Soule						
Swanton	W. U. Blake						
Stowe	Seth A. Fuller	13-6	51-6	36 50	4 05	1 18	6
Salem	John Wilson	11-12	124 12	112 00	8 61	76	12
Sherburne	Warner Bates						
Shrewsbury	Henry C. Gleason	1	6	60 00	60 00	10 00	1
Sudbury	Benoni Griffin	13-6	3	32 15	3 57	1 79	6
Stratton	Joseph Pike	1	3	5 16	5 16	1 72	1
Sharon	Freeman Holt	1	3	4 00	4 00	1 33	1
Springfield	Charles A. Forbush	3 6-12	13 4-12	280 59	6 68	1 75	12
Stockbridge	Merick Gay	1	4	10 00	10 00	2 50	1
Thetford	Jeremiah Dodge	1	6	16 00	5 33	89	3
Topsam	R. M. Bill						
Troy	O. N. Elkins	1	4	58 17	19 39	4 85	3
Tinmouth	C. M. Noble						
Townshend	Francis D. Sawyer						
Vergennes	John E. Roberts	5 6-12	27 2-12	543 68	8 24	1 67	12
Victory	Rev. Jacob Evans						
Weybridge	Joseph Hayward	1	4	10 75	10 75	2 69	1
Whiting	Whitfield Walker	1	63-4	45 14	11 28	1 67	4
Winhall	Francis Kidder						
Walden	James Bell	2	91-2	76 08	19 02	4 00	2
Wheelock	Charles Welch	2	12 6-12	140 00	5 83	93	12
Westford	J. H. Woodward						
Williston	Wm. Miller						
Waterville	Jesse C. Holmes	11-2	10	48 00	8 00	1 20	4
Wolcott	Porter Crane	1	51-2	21 00	10 50	1 91	2
Washington	T. G. White	1 6-8	7 3-8	141 60	10 11	2 40	8
West Fairlee	John G. Eastman	1	71-2	30 00	15 00	2 00	2
Westmore	Alonzo Bemis						
Wallingford	Dyer Townshead						
Wells	Orlin Lewis	1	7	155 32	15 53	2 22	10
Waitsfield	Hiram Jones	15-7	74-7	82 56	6 88	1 56	7
Warren	Sylvester Upham	1	51-3	26 00	8 66	1 62	3
Waterbury	James Green	10 9-12	43 6-12	577 25	4 47	1 11	12
Woodbury	F. C. Putnam	14-6	9	70 00	7 00	1 30	6
Worcester	Horatio Templeton	1	5	6 00	6 00	1 20	1
Whitingham	P. Starr						
Weathersfield	Wm. M. Pingry	1	46-7	50 72	7 24	1 49	7
Weston	Asa B. Foster	1	4	24 00	24 00	6 00	1
West Windsor	Thomas F. Hammond						
Windsor	Hiram Harlow						
Woodstock	George Mellich	12-3	3	72 38	14 47	8 04	3
				18,700 42			

Expenditures from September 1, 1863, to September 1, 1864, being total amount of State Orders issued, \$18,700 42  
 Number of families aided, 471.  
 Number of persons aided, 2,058.

## EXPENSES.

To bill of postage stamps, \$31 07  
 To Tuttle & Gay's bill for books and blanks, 20 50  
 To D. L. Millikin's bill for printing, 13 85  
 To bill envelopes, 4 92  
 To paid Charles H. Ross, for keeping books and accounts one year, 200 00  
 To sundry traveling expenses, 18 30—288 64

Respectfully submitted,

JNO. HOWE, JR.

CORRESPONDENCE RELATIVE TO ARMS AND EQUIPMENTS  
FOR THE MILITIA OF VERMONT.

(Referred to on Page 24 of the Journal.)

STATE OF VERMONT, EXECUTIVE CHAMBER, }  
Washington, D. C., Sept. 14, 1864.

Hon. Edwin M. Stanton, Secretary of War :

SIR:—I have the honor to inquire if the War Department will furnish say fifteen thousand rifled muskets with the necessary equipments and ordnance stores complete for the purpose of arming the Militia of the State of Vermont, in the event of an organization of the same at the approaching session of the Legislature

I have the honor to be, with high regard,

Your obedient servant,

J. GREGORY SMITH, Governor of Vermont.

WAR DEPARTMENT, }  
Washington City, Sept. 14, 1864.

SIR:—In reply to your note of this date, in respect to furnishing arms and accoutrements for the Militia of your State, I have the honor to inform you that, in the event of the Vermont Legislature passing a law for the organization of the Militia of that State, this Department will on your requisition furnish immediately fifteen thousand stand of arms, with accoutrements complete, the arms to be the first quality of Springfield rifled muskets. The necessary supplies of ordnance stores will also be furnished

If it will not be deemed improper, I beg leave to say that in my view it is the duty of every State to organize and arm its militia promptly, and by suitable drill and instruction prepare them for their duty as soldiers, to protect their homes and maintain the Government of their choice. Until the present rebellion I was of those who hoped there could be war no more, and that mankind had become wise enough under our government to live at peace. But when I saw the slaveholders of the South and the corrupt politicians of the North plotting together to overthrow the government of the United States, and establish for themselves perpetual dominion, North and South, my mistake was revealed, and the full force of the maxim, that "eternal vigilance is the price of liberty," came home to me. I am now in favor of arming every free man, but arms without organization is of little account. I am, therefore, in favor of organizing freemen as soldiers, and when this is done, rebels and traitors will not be apt to repeat their crimes. The militia of every State should be organized, trained and instructed in the use of arms, if they wish to live in peace.

Yours truly,

EDWIN M. STANTON, Secretary of War.

His Excellency,  
J. GREGORY SMITH, Governor of Vermont.

**CORRESPONDENCE RELATIVE TO HOSPITAL FOR SICK AND  
WOUNDED VERMONT SOLDIERS.**

*(Referred to on Page 25 of the Journal.)*

STATE OF VERMONT, EXECUTIVE CHAMBER, }  
Montpelier, Oct. 29, 1863.

Col. S. W. Thayer, Jr., *Surgeon General of Vermont:*

DEAR SIR:—By a joint resolution of the two Houses, the Governor of the State is directed, at as early a day as possible, to take such measures as in his judgment are necessary to provide further and ample accommodations for the sick and wounded Vermont soldiers. In compliance with such resolution, you will please make such examinations of different locations within this State as may be suitable for the erection of hospitals for such increased accommodations, and make such plans and estimates as may in your judgment be necessary, and report to me at the earliest practicable moment, giving your opinion of the best location, and such other suggestions as may occur to you on the subject.

I am most truly yours,  
J. GREGORY SMITH, *Governor of Vermont.*

STATE OF VERMONT, SURGEON GENERAL'S OFFICE, }  
Burlington, November 9th, 1863.

SIR:—I have the honor to acknowledge yours of the 29th of October, accompanying a copy of the Joint Resolution of the two Houses, directing "the Governor of the State to take such measures as are necessary to provide other and ample accommodations for the sick and wounded Vermont Soldiers."

Agreeable to instructions received from your Excellency in your official communication to me, I have visited several towns in the Northern, Middle and Eastern sections of the State, and examined such localities within their borders as are of convenient access by public thoroughfares, for the purpose of ascertaining the most suitable place for the erection of hospital buildings, to furnish increased accommodations for our sick and wounded soldiers.

In all the towns I have visited, I have found good sites for hospital buildings, barracks and camps, easily supplied with pure running water, and in every way favorably situated for the preservation and recuperation of the health of the soldiers. As being particularly well adapted to such a purpose, I will mention Swanton, St. Albans, Burlington, Vergennes, Middlebury, Rutland, Waterbury, Montpelier, White River Junction, Norwich, Newbury and St. Johnsbury.

In consideration of the facts in my possession, I will most respectfully make the following suggestions:

*First*, That temporary buildings of wood be erected on the Marine Hospital Grounds, so as to furnish ample accommodations for at least two hundred patients. It is necessary at this time to make additional provision for patients there, in consequence of the contemplated removal of the old Town Alms House, a building we have used in connection with the hospital proper for convalescent soldiers.

*Second*, That a wooden aqueduct be constructed, to convey an abundant supply of water, for all seasons of the year, to some point within the enclosed Government Grounds, on which the buildings are located.

I further recommend, (provided it meet the unqualified approval of Surgeon Chas. McDougall, U. S. A., Medical Director, Department of the East,) the erection of temporary wooden buildings, for wards, officers' quarters, culinary purposes, dispensary, and all others necessary for hospital accommodations for three or four hundred patients, on what is known as the "Fair Ground," in Montpelier, for the following reasons, viz:

*First*, It has an altitude considered favorable for the successful treatment of a large class of diseases contracted in the army, from exposure to the pestilential miasms emanating from swamps and low grounds, consisting of about twenty acres of land, situated about half of a mile east of the town, (sufficiently remote for the easy enforcement of all the necessary Sanitary and Military regulations,) upon the upper terrace of table land eighty-five feet above the bed of Onion River, and six hundred and fifty feet above tide-water, surrounded nearly on every side by up-towering green hills.

*Second*, It can with trifling expense be furnished with an abundance of fresh running water; two good aqueducts from the hills above pass across it to the intervals below, either sufficiently large to furnish all necessary supplies.

*Third*, It is a central locality, easy of access for the transportation of patients, and affording better facilities to a larger number of friends and relatives of sick and wounded soldiers in hospital to visit them when confined there by necessary army restrictions, than any other place in the State, a fact that should not be lost sight of in selecting a place for our returned volunteers, who are sick and disabled, having been made so by the unavoidable contingencies of war conducted where soldiers are exposed to the influences of pestilential miasms in addition to the unavoidable casualties of campaign life. From personal observation and experience in the treatment of a large number of sick and wounded soldiers who have been under my care in the U. S. M. General Hospital at Burlington, I am satisfied nothing has contributed more to their recovery, than the exhilarating influences of their native air, and to know that they are so near their homes as to be able to receive visits from their relatives and friends. In taking into consideration the facts, that a larger proportion of our State volunteers are from towns more conveniently accessible to Montpelier than any other place in Vermont, and that the pecuniary condition of their families is such as will not allow a considerable expenditure of time or money to visit them in hospital, I do most earnestly recommend to your Excellency, the judicious exercise of your influence and authority in the establishment of hospital accommodations at Montpelier, in manner, form and extent to be hereafter considered.

Most respectfully submitted, by

Your most obedient servant,

SAM'L W. THAYER, Jr.

Surgeon General Vermont.

His Excellency, J. GREGORY SMITH,  
Governor of Vermont.

MEDICAL DIRECTOR'S OFFICE, DEPARTMENT OF THE EAST, }  
No. 125 Bleeker Street, New York, Sept. 27, 1864. }

SIR:—The General Hospital at Montpelier, Vt., being completely organized and in full operation, I beg leave to congratulate your Excellency, and all those connected with its inception, upon its complete success. You may feel well satisfied that the State of Vermont has not only all the hospital accommodations needed for the treatment and comfort of her gallant sons, at Burlington, Brattleboro' and Montpelier, but that the noble institution at the capital of the State is not excelled by any one erected by the government in either this Department or the whole country.

The able report of the Surgeon General of your State, Dr. S. W. Thayer, to whom great credit is due, fully sets forth the advantages of the position at Montpelier, for a General Hospital, and it is scarcely necessary for me to repeat them. My attention had been for a long time attracted to that mountain region, and I fully coincide with his views.

All the benefits seem to be secured in this selection: a central position, accessible by water and railroads, a fine dry atmosphere, free from all malarial influences, an elevated position above tide water, peculiarly beneficial in the treatment of the diseases of southern climates, and all the advantages and exhilarating influences of beauty of scenery and contiguity to home. It must be a great satisfaction to you, as it has been to me, that everything has been done to enhance the value of the site and surroundings by judicious improvements, to secure all the comforts due to the sick and wounded soldiers of Vermont.

The importance of this Hospital in another aspect, is worthy of your notice and that of the Legislature. Experience and observation have shown, and that conclusively, that the

scourge of all armies, chronic affections of the bowels, can only be safely combatted on the high lands of our country, and away from the sea coast. To this point my attention and thoughts have been especially directed. Should the time soon arrive, which we can all now anticipate, when your beautiful Hospital will be less crowded, and the number of Vermont patients daily diminished, we may ask your co-operation and kindness for the transfer to your green hills and Hospitals, of those wasted and enfeebled companions in arms from other states, to reap the benefits of climate and elevation not secured to them elsewhere.

Very respectfully, your obedient servant,

C. McDOUGALL, *Surgeon U. S. A.*,

*Medical Director Department of the East.*

His Excellency, J. GREGORY SMITH,

*Governor of Vermont.*



REPORT OF W. G. VEAZEY, AGENT TO VISIT GETTYSBURG  
IN RELATION TO THE NATIONAL CEMETERY.

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(Referred to on Page 26 of the Journal.)

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RUTLAND, VT., Nov. 2d, 1863.

*His Excellency, the Governor of Vermont:*

DEAR SIR:—I have the honor to report that I proceeded to Gettysburg, October 23d, in compliance with your directions, to arrange for the removal of the Vermont dead to the new National Cemetery, &c.

I arrived at Gettysburg on Monday, October 26th, and immediately called upon David Wills, Esq., Agent for the State of Pennsylvania, and found that he had contracted with responsible parties for the disinterment, removal and re-interment of all the Union dead on the battle-field of Gettysburg, (a copy of the specifications of said contract are herewith forwarded,) at a cost of \$1 59 per body. Said parties have given a bond in the sum of \$6000 00 for the faithful performance of the contract. The whole work to be under the superintendence of two men independent of all interest in the contract, and selected by Mr. Wills, one to attend to the exhuming, and the other to the interment of the bodies.

This contract was subject to the approval of the Agent from each State. I made the acquaintance of the superintendents of the work, and went on to the field with agents from several other States, and saw the manner of exhuming and interment of the bodies in the new cemetery, and was so entirely satisfied with the contract and the carefulness with which the work was done, that I assented to it for Vermont. All the Agents present from other States did the same for their respective States. We were not only satisfied, but surprised, to find the terms for the work so low, and gratified with the minuteness of the contract and the care with which it was being executed. Indeed, no one would exercise more care in removing the loved remains of a brother or son. You will see from the specification, the manner of proceeding with the work. The superintendent also examines the body of each unknown dead to see if he can discover anything by which he may identify it.

The State of Pennsylvania has purchased a lot of ground, seventeen acres, for the Cemetery, and will give a deed to the several States of their respective lots, if they require it. I think that no State will require it, for the reason that the conveyance to the State of Pennsylvania is of the nature of a trust for this particular purpose, and the land can never be used for any other purpose, and the State of Pennsylvania has obligated herself to keep the grounds and everything about the Cemetery in good condition after it is completed. Yet, if any State should wish for a deed of its lot, the conveyance will be made without any cost to the State. The ground chosen is a part of the battle-field, known as Cemetery Hill. It is a gentle slope in front of the old Cemetery of the town, overlooking a very large part, nearly all, of the battle-field, the town of Gettysburg and a wide expanse of beautiful country all around. It is also near the spot where our Vermont Brigade fought so gallantly. You will see from the plan, which I send, the location of the Vermont lot. I don't think there is much if any choice in the lots, but if there is any, I think we have the best.

It is proposed to lay a stone twelve or eighteen inches square along at the head of the graves on the stone wall mentioned in the specifications, the top of the stone being six or

eight inches above the surface of the ground, and oval, and to have the inscription for each man made on the top of this stone at the head of the grave, in place of a common head-stone, thereby securing the greatest simplicity, uniformity and permanency, with the least cost. But this will be a matter of consideration for the Governors present at the consecration of the Cemetery the 19th of November, or their representatives. Also the location and style of the monument and style of fence around the grounds, and other matters of ornament.

Governor Curtin, Mr. Wills, and another party, will hire the money for present expenses, and draw upon the States for their share, according to the population respectively, after they have made appropriations for this purpose. I mentioned to Mr. Wills that your Excellency would probably call the attention of our Legislature now in session to the matter, and be ready to honor a draft for our proportion of the expense of removals within a reasonable time. Seventeen States, besides Western Virginia, are interested in this project. I am sorry to see that so many of our Vermont dead are being brought home, for I think there can be no such fit and honorable place for the noble sons of our State that fell at Gettysburg to rest, as in this National Cemetery. Their deeds and death made the place memorable, and the history of Gettysburg is a part of their history. Many visitors arrive there daily, and this new Cemetery will enhance the interest in the place, so that no where could the gallant dead of Gettysburg be honored so much as by being buried together on the field where they fell.

Parties that arrived at Gettysburg, while I was there for the remains of their friends, became so convinced of these facts that they left them to be buried in the National Cemetery. The Agents present agreed that if the friends of the dead there could know all that we did about the Cemetery, they would not incur the great expense of transferring them to their homes. We therefore agreed to call the attention of our respective Governors to these facts, and suggest the propriety of their laying them before the people. We have now less than forty known dead remaining there. But very few graves of our cavalymen that fell there are marked.

I send you, by same mail with this report, a plan of the Cemetery and the battle-field.

I cannot speak in terms of too great praise of the courtesy of Mr. Wills, and of his efforts to make the National Cemetery at Gettysburg all that its friends could desire. He will be glad to receive any suggestion that may occur to you to make with reference to the Cemetery.

I completed all arrangements for the State so much to my satisfaction that I did not deem it necessary to remain there longer.

Colonel Frank E. Howe, of New York, has sent a man to aid Mr. Wills in his general supervision of the work. He will remain until the consecration, the 19th of this month. The Agent from Ohio will also remain until then. Agents that had not arrived will be there from time to time; therefore, I cannot see how any negligence on the part of the contractors, should they attempt it, can escape observation.

I have the honor to be, very respectfully,

Your obedient servant,

W. G. VEAZEY, *Agent for Vermont.*

REPORT OF HON. PAUL DILLINGHAM, ON THE NATIONAL  
CEMETERY AT GETTYSBURG.

(Referred to on Page 28 of the Journal.)

To J. Gregory Smith, Governor of Vermont :

SIR :—In order to give an intelligent account of the soldiers' burying ground at Gettysburg, Pennsylvania, in its beginning and progress, I give the following extract from Governor Curtin's message to the Legislature of Pennsylvania, July 7th, 1864.

"After the battle of Gettysburg, in which loyal volunteers from eighteen States, including Pennsylvania, were engaged, it appeared to me proper that all of those States should unite in establishing a Cemetery on the spot, in which their soldiers who had fallen in that conflict should be honorably interred. I accordingly appointed David Wills, Esq., of Gettysburg, my Agent. and through him, a site was purchased, at a cost of \$2,475 87, and the conveyances made to the Commonwealth. On communicating with the authorities of the other States, they all readily agreed to become parties to the arrangement, and on the 19th day of November last, the Cemetery was dedicated with appropriate ceremonies, in the presence of the President of the United States, the Governors of the States concerned, and other high officers, State and National. On the 19th day of December, on the invitation of Mr. Wills, Commissioners representing the States interested in the Cemetery, met in Harrisburg, and agreed upon a plan for its improvement and care in the future, and the apportionment of the sum of money required, to the several States, which is herewith communicated. The expenses attending the establishment of this Cemetery, including the cost of the site and removing the bodies of the slain, have thus far amounted to \$5,209 38, and an appropriation will be required to pay these expenses, and to meet our portion of those attending its future maintenance. It will appear by the proceedings of the Commissioners, that their due proportions of the expenses already incurred, are to be refunded by the States on whose account they were made. It is just to say that Mr. Wills has discharged his delicate and important duties with fidelity, and to my entire satisfaction."

At the same time Mr. Wills' report was submitted to the Legislature, which is as follows :

"The design of locating a place for the decent interment of the remains of our soldiers, who fell in the defence of the Union in the battle of Gettysburg was originated, soon after that bloody conflict in July last, but was not consummated by the purchase of the grounds for the purpose until August.

"A persistent effort was made by persons here to have the soldiers buried in grounds controlled by the Local Cemetery Association of this place. The plans proposed having the burials made at a stipulated price, to be paid to the Cemetery Association. Failing in this project, these persons endeavored to connect the two cemeteries so that they should both be in one enclosure, and all under the control, supervision and management of the Local Cemetery Association. As the Agent of his Excellency, the Governor of Pennsylvania, I was in communication, by letter and personally, with representatives and citizens of other States in reference to this proposed plan, and all were of the decided opinion that the soldiers' Cemetery should be entirely distinct and disconnected from the local Cemetery. That, to ensure success in obtaining a concert of action among all the States, it must be

made an independent Cemetery, and the control and management of it be retained by the States interested. This whole matter was very thoroughly and impartially canvassed and discussed, and this conclusion arrived at and adopted. The grounds were subsequently laid out, and the burials made, in view of the national character of the project. His Excellency, Governor Curtin, having authorized me to buy grounds and invite the other States interested to unite in the removal of the dead and improving the grounds, I immediately endeavored to purchase land on Cemetery Hill, and, after much difficulty, succeeded in buying five different lots lying on Cemetery Hill, on the west side of the Baltimore turnpike, adjoining the local Cemetery on the north and west. It is the ground on which the centre of our line of battle rested, July 2d and 3d, and one of the most prominent and important positions on the whole battle-field. The lots were purchased for different prices per acre, according to their location, but all at a very reasonable market price. Two lots were bought at the rate of \$225 per acre, one for \$500 per acre, one for \$150 per acre, and one for \$135 per acre. The whole embraces about seventeen acres, and for the exact area and amount in each purchase, I refer you to the deeds on file in the Auditor General's office.

"The Cemetery having assumed a national character, being independent of any local controlling influences, the Governors of all the States having soldiers lying on this battle-field, after much correspondence and conference, through Commissioners sent here for the purpose, committed their States to the project. I then made arrangements with Mr. William Saunders, an eminent landscape gardener, to lay out the grounds in State lots, apportioned in size according to the number of marked graves each State had on this battle-field. This number was obtained by having a thorough search made for all the graves, and a complete list of all the names accurately taken. The grounds were accordingly very neatly and appropriately laid out, and I refer you to the map of them. To preserve their identity; I deemed it very important to have the removals of the dead made as soon as possible. The marks at the graves were but temporary, in many instances a small rough board on which the name was faintly written with a lead pencil. This would necessarily be effaced by the action of the weather, and the boards were also liable to be thrown down and lost. The graves which were unmarked, were in many instances level with the surface of the earth, and the grass and weeds were growing over them, and in the forests the fall of the leaves in the autumn would cover them, so that they might be entirely lost. I, therefore, issued proposals for the giving out of the contract for disinterring, removing and burying in the National Cemetery all the Union dead on this battle-field. Thirty-four bids were handed in, varying in amount from \$1 59 to \$8 00. I awarded the work to F. W. Biesecker, the lowest bidder, for \$1 59 per body. His duties are fully set forth in the specifications which are embodied in the contract. I take pleasure in saying that the work under this contract has been done with great care, and to my entire satisfaction. This is owing in part to the great care and attention bestowed by Mr. Samuel Weaver, whom I employed to superintend the exhuming of the bodies. Through his untiring and faithful efforts, the bodies in many unmarked graves have been identified in various ways. Sometimes by letters, by papers, receipts, certificates, diaries, memorandum books, photographs, marks on the clothing, belts or cartridge boxes, &c., have the names of the soldiers been discovered. Money and other valuables have frequently been found, which, when the residence of the friends is known, have been immediately sent to them. Those not returned to the friends are carefully packed up and marked, and every effort will be made to find the friends of the deceased, and place these articles in their possession. Words would fail to express the grateful relief that this work has brought to many a sorrowing household; a brother, a son, a father, have been lost on this battle-field, supposed to be killed, but no tidings whatever have the bereaved friends of him. Suddenly, in the progress of this work his remains are discovered by sure marks, letters, probably, photograph, &c., and they are deposited in a coffin with care, and buried in a very appropriate place on the battle-field where he fell, the *Soldiers' National Cemetery*. There his grave will be properly cared for and permanently marked. The friends, who have probably written me several letters of inquiry, are immediately informed of the discovery. What a relief from agonizing hope and despair such certain information brings.

"After purchasing the grounds, I made application to the Secretary of War for coffins for the burial of these dead, and he at once approved of the application, and directed the Quartermaster General to furnish the number required for the purpose. These Cemetery Grounds were solemnly dedicated to their present sacred purpose, by appropriate and imposing ceremonies, on Thursday, the 19th of November last. The public prints of that week contained full accounts of the proceedings. I refer you, also, to the accompanying proceedings embraced in this volume.

"I requested the Governors of the different States having lots in the Cemetery, to appoint Commissioners, to assemble at Harrisburg, on the 17th day of December last, to adopt some uniform plan for the action of the Legislatures of the different States. Twelve States were represented, and the other five signified, in advance, their assent to any reasonable action of the convention. The estimated expenses of finishing the Cemetery are \$63,500, and it is proposed to divide this sum among the different States having lots in the Cemetery, in ratio of their representation in Congress. The Legislatures of the other States are acting in this matter, and making the appropriations in the proportions as above indicated. Beside making this appropriation, another additional duty devolves upon the Legislature of Pennsylvania. For the management and care of the grounds and the completion of the work, it is necessary to have a corporate body, and the State of Pennsylvania is requested, through her Legislature, to establish by her letters patent this corporation, '*The Soldiers' National Cemetery*.' This should be done without delay. It will necessarily require some time for the board of managers to meet and organize, and in the meantime the work, which should be progressing, is delayed. It is especially desirable that the Legislature act upon this matter at once, so that the organization may be perfect. Upon this board of managers, composed of one from

each State having soldiers dead here, will devolve the completion of the project and the future care of the ground."

At the same session of the Legislature of Pennsylvania, an act of incorporation was passed—which, after reciting that "the Commonwealth of Pennsylvania had purchased seventeen acres of land on Cemetery Hill, on the Gettysburg battle-field, in the County of Adams, for a Cemetery for the burial of the remains of the soldiers who fell in the battle of Gettysburg and the skirmishes incident thereto, in defending the Union, or died thereafter from wounds received in that battle and the skirmishes"—enacts that the Commonwealth will forever continue to hold those lands in fee simple, in trust for all the States having soldiers buried in said grounds, for the purposes mentioned in said preamble.

The act then provides that certain persons therein named, "being one Commissioner from each State having soldiers buried in said Cemetery, be, and they and their successors are hereby created a body politic in law, under the name, style and title of The Soldiers' National Cemetery, and by that name, style and title shall have perpetual succession, &c."

Said Commissioners are constituted a board of managers, to whom the care and management of said grounds are solely entrusted, whose duty it is declared to be, out of funds in the hands of the treasurer of the corporation, by State appropriation or otherwise, to remove the remains of all the soldiers, referred to in the preamble, that have not already been removed, to the Cemetery, and have them properly interred therein; and also to lay out, fence and ornament, to divide and arrange into suitable plots and burial-lots, establish carriage-ways, avenues and foot-paths, erect buildings and a monument or monuments and suitable marks to designate the graves, and generally to do all other things in their judgment necessary and proper to be done, to adapt the ground and premises to the use for which it has been purchased and set apart. And said board of Commissioners shall have no power, to appropriate any of the funds of the corporation as a compensation for their services as Commissioners. The act also forever exempts the grounds, and all erections upon them, from all taxation. Also provides that the treasurer of the corporation shall give bonds with two good sureties to the Commonwealth of Pennsylvania, to double the amount of such sum of money as the commissioners believe will ever be in his hands, conditioned for his faithfully keeping and disbursing said money.

The corporation was duly organized in April 1864, and the Hon. David Wills is its president, and the work previously commenced has been satisfactorily carried forward. It is now believed that the work of reinterment is fully completed. The whole number of soldiers interred in said Cemetery is three thousand five hundred and thirty-eight: Of this number sixty-one are from Vermont. The names of forty-two of these were ascertained by letters or memoranda found on their bodies, and their names with the letter of their company and number of their regiment are graven on the head-stone of their respective graves; ten others, whose names could not be ascertained, have the company and regiment engraved, and it is hoped that, from the office of the Adjutant and Inspector General of this State, their names can be ascertained. The other nine had to be reported as unknown, though sufficiently identified as having belonged to the Vermont troops.

To fully and satisfactorily carry out the duties devolving upon them by this act of incorporation, in a manner believed to be fitting so noble an enterprise, the commissioners, on reliable estimates, determined the expenses as follows for finishing the Cemetery:

Enclosing the grounds,	15,000 00
Burial expenses and superintending,	6,000 00
Head Stones,	10,000 00
Laying out grounds and planting trees,	5,000 00
Lodge,	2,500 00
Monument,	25 000 00
Total,	\$63,500 00

And it was

"Resolved, That the several States having soldiers buried there, being eighteen in number, be asked to appropriate a sum of money to be determined by a division of the estimated expense, according to representation in Congress, to be expended in defraying the costs of removing and reintering the bodies of the dead, and finishing the Cemetery, under the direction of the Cemetery corporation."

And further—"When the Cemetery shall have been finished, the grounds are to be kept in order, the house and inclosure in repair, out of a fund created by annual appropriations made by the States represented in the Cemetery corporation, in proportion to their representation in Congress."

On this basis, the sum required of Vermont for completing the Cemetery, as proposed, will be \$1,260, and an order has already been drawn on this State for a fourth part of that sum, (\$315) which could not be paid for want of a previous appropriation, but I ventured to give the other commissioners strong assurances that at the next session of our Legislature, an appropriation would be made, sufficient to cover our entire proportion; and knowing the patriotism of our people, and the undying love and veneration with which they cherish the memory of the gallant and brave soldiers who died and are buried there, I can have no doubt that their representatives will make good those assurances.

This Cemetery when finished will be one of the most beautiful and lovely of its kind that eye ever rested upon.

Respectfully submitted,

PAUL DILLINGHAM, Commissioner for Vermont.

Waterbury, Sept. 28, 1864.

## SURGEON GENERAL'S REPORT, OCTOBER 1, 1864.

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(Referred to on Page 33 of the Journal.)

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*To his Excellency, J. Gregory Smith, Commander-in-Chief:*

Soon after entering upon the duties of your office as Governor of Vermont, I had the honor of receiving from your Excellency a commission as Acting Surgeon General of the State.

October 29th, 1863, I received from you a copy of the joint resolution of the two Houses relative to the increase of hospital accommodations for sick and wounded soldiers. In compliance with the resolution, and in obedience to the instructions accompanying it, I made an examination of several localities within this State, and forwarded to your Excellency a report upon the subject, accompanied by such suggestions and recommendations as in my opinion it demanded.

In obedience to instructions from your Excellency, immediately upon receiving intelligence of the disaster to the Vermont brigade in the battles of the Wilderness and Spottsylvania, (having previously requested several physicians, who had volunteered their services in the event of a disaster, to hold themselves in readiness for duty.) I telegraphed Drs. A. T. Woodward of Brandon, C. M. Chandler of Montpelier, A. C. Welch of Williston, J. F. Miles of Hinesburg and Wm. M. Huntington of Rochester, requesting them to meet me in Washington to assist in the care of our sick and wounded soldiers. On arriving in Washington we were furnished with passes and transportation to Belle Plain, and instructions from Surgeon Joseph K. Barnes, U. S. A., (at that time acting Surgeon General U. S. A.) to report for duty to Surgeon Dalton, Medical Director, at Fredericksburgh, Va. Immediately after our arrival in that city, we reported to the Medical Director, who gave us permission to go in search of wounded Vermonters. We found them scattered throughout the city, a large proportion of them stretched upon the floors of churches, deserted houses, stores and shops, with nothing underneath them except their tattered and blood-stiffened garments, with amputated stumps, shattered limbs and ugly flesh wounds which had not been dressed for four or five days. Many of the poor fellows had made their way from Spottsylvania and the Wilderness on foot; some had been brought in ambulances over a rough road, robbed and detained by guerillas on the way, without food, and without medicines and dressings, suffering excruciating pain, with no other attendants than their less severely wounded fellow-soldiers. Although we were unable to relieve them of suffering, or remedy their privations, they felt assured of the consideration and sympathy of the State, and were encouraged. They did not utter a word of complaint—not a murmur escaped their lips—but with patience and heroic endurance bore their sufferings and privations in a manner worthy of the good cause in which they have suffered. The arrival of a large number of volunteer surgeons from the loyal states, who were immediately assigned to duty by Surgeon Dalton, soon furnished a fair supply of surgical aid; but as there was a want of straw for beds, and medicines and dressings and suitable food for the wounded, very little could be done to supply the necessary demand, and it was decided that other means must be immediately taken to procure if possible the articles so much needed; consequently we started for Belle Plain with the hope of doing something in the way of hurrying on supplies for the hospitals. We there found Surgeon Cuyler, Medical Purveyor General U. S. A., personally directing the removal of hospital stores from a

transport, and soon after the interview between your Excellency and Col. Pitkin, we were made happy in seeing a long line of returning ambulances loaded with stores, medicines, dressings and delicacies for the sick and wounded. The officers of Government and the agents of the Sanitary and Christian Commissions were all active in the good work. I will here remark in justice to the officers of the General Government, that the destitute condition of our wounded soldiers at Fredericksburgh was no fault of theirs. Under the direction of Surgeon General Barnes, U. S. A., ample provision had been made for twenty-five thousand wounded men, and sent to a point on the Orange and Alexandria railroad, selected by Gen. Grant as his base of supplies and depot for the wounded. The supply trains were intercepted by the enemy in force, and it became necessary for him to select Fredericksburgh and Belle Plain as the most available points through which to furnish supplies for the army, and to make provision for the wounded. It necessarily required considerable time to establish a line of boats from Washington to Belle Plain, and a line of baggage wagons and ambulances from the latter place to Fredericksburgh, sufficient to furnish a large army with materials of support, and fifteen thousand wounded soldiers with the necessary assistance and supplies. To the medical arm of the service and to the Department of Transportation great credit is due for the promptness and faithfulness with which they discharged their respective duties. I desire to express my obligations to Surgeon Gen. Barnes, Surgeon Cuyler, U. S. A., to your Excellency and Representatives Baxter and Woodbridge, to Col. Pitkin, Secretary Williams and Commissioner Holbrook, for valuable assistance to us, and the important service rendered our brave Vermont soldiers.

Subsequently other volunteer Surgeons were forwarded from this State so that three or four were constantly on duty there until the necessity no longer existed for other aid than that at the command of the General Government. Physicians were also sent from several towns by the selectmen to the aid of our Surgeons in the front, and for service in hospitals, and, I have been informed, very valuable assistance was rendered by them. Drs. Cahoon, Brown, Newell, Adams, and several others whose names are unknown to me, I am informed are of the number referred to.

#### LIST OF VOLUNTEER SURGEONS.

J. L. Harrington, Weston; R. W. Bennett, Pownall; H. H. Palmer, Ludlow; W. A. Chapin, Ludlow; H. F. Stevens and S. R. Day, St. Albans; A. T. Woodward, Brandon; C. M. Chandler, Montpelier; J. M. Knox, Burlington; J. F. Miles, Hinesburgh; A. C. Welch, Williston; W. Hazeltine, Cavendish; O. F. Fassett, East Berkshire; G. C. Briggs, Franklin; C. S. Cahoon, Lyndon; G. F. Gale, Brattleboro; D. Campbell, Saxton's River; T. G. Simpson, Vershire; W. R. Hutchinson, Enosburgh; W. L. White, Hydepark; H. Powers, Morrisville; J. D. Ross, Poultney; S. Keith, Northfield; H. L. Brown, St. Johnsbury; F. F. Fairchild, Milton; Wm. M. Huntington, Rochester; S. Newell, St. Johnsbury; O. J. Cramton, Fairfield; E. F. Upham, West Randolph; E. Weston, Jr., West Randolph; E. W. Scott, Newbury; J. H. Richardson, Westford; H. D. Holton, Poultney; C. W. Brigham, Pittsfield; J. S. Richmond, Woodstock; A. M. Brown, Sheldon; L. W. Adgate, Irasburgh.

The following list embraces the names of volunteer Surgeons who have been to the front and performed valuable services in the care and treatment of sick and wounded soldiers in Fredericksburgh and White House, Va., and in hospitals in the Department of Washington:

H. F. Stevens, St. Albans; A. T. Woodward, Brandon; C. M. Chandler, Montpelier; J. M. Knox, Burlington; J. F. Miles, Hinesburgh; A. C. Welch, Williston; W. Hazeltine, Cavendish; O. F. Fassett, East Berkshire; G. C. Briggs, Franklin; G. F. Gale, Brattleboro; H. Powers, Morrisville; Wm. M. Huntington, Rochester, and O. J. Cramton, Fairfield.

From their reports to me, and from information received from other sources, I am happy to testify to their faithfulness and ability in the discharge of duties voluntarily assumed, which necessarily involved a sacrifice of personal comforts and interests to an extent which cannot be realized except by those who have had a similar experience. The value of their services in benefits conferred upon suffering soldiers, it is impossible to estimate; that it far exceeded the outlay none can gainsay.

#### EXTRACTS FROM DR. WOODWARD'S REPORT.

\*\*\* By direction of Surgeon General Barnes I reported to Dr. Dalton at Fredericksburgh for duty, and was placed in charge of hospital D, 6th Army Corps, in which I found about three hundred wounded men, fifty-five of whom were Vermonters. The conveniences and materials to work with at that early day were limited—all the wounded lay upon the floors, some with, and many even without a blanket. I immediately went into the work of dressing wounds, preparing bunks and procuring blankets, all of which was to a great extent accomplished before I left the city. Some of the wounds were slight, requiring little attention, others were of a serious nature, which taxed our strength to dress, and our ingenuity to devise means for the relief of the suffering though patient soldier. After spending several days with this charge, on learning that provisions were made and in progress by Government for the transportation of the wounded to Washington, I left for Vermont.

I do most respectfully suggest the organization of a corps of volunteer Surgeons in this State, to be called upon whenever the necessities of our soldiers require their services.

## EXTRACT FROM DR. HAZELTINE'S REPORT.

\* \* \* At White House, Va., I was placed in charge of a ward containing 140 wounded men, many of them having had no care or treatment since they were brought from the Field Hospital, owing to the inability of the Surgeons to attend to the large number of wounded thrown upon their hands after the battles of June 3d, 4th and 5th. I was surprised to find so large a number of the amputations doing so well when they had not been dressed for four or five days, and the poor fellows had been jostled and pitched about in ambulances over rough roads for from twelve to thirty-six hours. I remained here until the wounded were sent to Washington.

## EXTRACT FROM DR. STEVENS' REPORT.

\* \* \* I have visited all the wards of the 6th Army Corps Hospital, and endeavored to seek out all the Vermont soldiers and personally examine into their condition. \* \* \* It gives them courage, and inspires them with hope, to know that they are remembered at home, and that our State officials desire to leave nothing undone that shall serve to secure or promote the comfort of our soldiers.

## EXTRACT FROM DR. WELCH'S REPORT.

\* \* \* I reported to Dr. Dalton, Medical Director, and was assigned to duty in 6th Corps Hospital, where I labored hard and faithfully until the wounded were all removed to Washington. After the removal of the sick and wounded, I reported to Surgeon Cuyler at Fort Royal, where I remained a short time, and then returned to Washington.

## EXTRACT FROM DR. POWERS' REPORT.

\* \* \* I reported to Dr. Dalton, Medical Director, at White House, Va., and was assigned to duty in 6th Corps Hospital, in charge of a ward in which there were 84 wounded men. I remained on duty there until the patients were all removed to Washington. The Government, aided by the Sanitary and Christian Commissions, are doing all that can be done for sick and wounded soldiers. Our own State is second to none in the good work. To our Governor, Col. Holbrook and Hon. P. Baxter and lady, is due the gratitude of the whole State, for their untiring labors in the Christian work of ministering to the wants of Vermont soldiers.

## EXTRACT FROM DR. KNOX'S REPORT.

\* \* \* Immediately after I reported to Surgeon Dalton at White House, Va., I was placed in charge of about two hundred soldiers, wounded at Cold Harbor. I remained in charge, dressing wounds, removing balls and fragments of bones, reducing fractures and performing such other operations as were deemed necessary, until all of the wounded were sent to Washington.

## EXTRACT FROM DR. GALE'S REPORT.

\* \* \* At Fredericksburgh I was placed in charge of a portion of 6th Army Corps Hospital, in which there were many severe cases of injury. Twenty-three amputations of the lower extremity were performed before I left the hospital. After three days and nights of almost incessant labor, we were ordered to have everything in readiness to move to Washington. Seven hundred and fifty wounded soldiers were placed under my charge while in transit by rail to Belle Plain, and steamer to Washington. From Washington I was ordered to Fort Royal, where I remained a short time and returned home.

## APPOINTMENTS.

During the past year few vacancies have occurred in the Medical Staff of the Vermont Brigade, requiring to be filled by new appointments.

In the examination of applicants for appointment I have been assisted by H. F. Stevens, M. D., St. Albans. We have conducted the examinations in such a manner as to enable us to determine as nearly as possible the positive and relative qualifications of applicants. We made a record of the date of examination, and grade of standing of each person examined. It has been our aim to select from the list, and recommend to your Excellency for appointment, those who by priority of date and grade of acquirements, were in our opinion best qualified for the position.

## LIST OF APPOINTMENTS.

*Second Regiment.*—Edwin R. Brush, Asst. Surgeon, Oct. 15, 1862.  
*Cavalry Regiment.*—Edward B. Nims, Asst. Surgeon, May 19, 1864.  
*Seventeenth Regiment.*—Ptolmey O'M. Edson, Surgeon, March 16, 1864; Henry Spohn, Asst. Surgeon, April 18, 1864.



## PROMOTIONS.

In recommending for promotion assistant surgeons already in the service, I adopted as a rule, the selection of those, who by rank and merit were entitled to promotion, irrespective of the regiment to which they belonged, or the one in which there was a vacancy. Some assistant surgeons who had made applications for promotion, and had forwarded recommendations from their staff and line officers, felt aggrieved that they had not obtained their object, but when informed of the rule adopted, they cheerfully acquiesced in the justice of the measure.

## LIST OF PROMOTIONS.

*Second Regiment*—Assistant Surgeon William J. Sawin, to be Surgeon, December 18, 1863  
Assistant Surgeon Melvin J. Hyde, to be Surgeon, August 1, 1864.

*Third Regiment*—Assistant David M. Goodwin, to be Surgeon, April 29, 1864.

*Sixth Regiment*—Assistant Surgeon Edwin Phillips, 4th Regiment, to be Surgeon, October 26, 1863.

Since early in May the Vermont Brigade has been actively engaged in the conflict between the two opposing armies in Virginia, and while many of the officers have received well deserved honors from the government in the way of official notice and promotion, there is a class styled "non-combatants," whose important services, deserving conduct and bravery, entitle them to honorable consideration, who have been almost entirely overlooked, not so much from a non-appreciation of their worth and services, as from the military position they occupy.

The medical officers attached to the Vermont Brigade have, in the discharge of their duties, in camp, in hospitals and on transports, won for themselves laurels as bright as other heroes, and though no "stars" deck their shoulders, and no bulletins herald their deeds of daring and valor, they will be rewarded by the grateful remembrance of thousands whose life's blood has been staunched, shattered limbs dressed, and from whom the rebel missiles have been removed, by their skillful hands.

## MEDICAL STAFF, VERMONT VOLUNTEER SERVICE.

*Second Regiment*—Melvin J. Hyde, Surgeon; Edwin R. Brush, Assistant Surgeon.

*Third Regiment*—\_\_\_\_\_, Surgeon; Henry C. Newell, Assistant Surgeon.

*Fourth Regiment*—\_\_\_\_\_, Surgeon; Arminius B. Bixby, Assistant Surgeon.

*Fifth Regiment*—Alwyn H. Chesmore, Surgeon; Dan. S. Colburn, Assistant Surgeon.

*Sixth Regiment*—Edwin Phillip, Surgeon; Edward M. Curtis, Assistant Surgeon.

*Seventh Regiment*—Enos Blanchard, Surgeon; Elihu S. Foster, Assistant Surgeon.

*Eighth Regiment*—Heman H. Gillett, Surgeon; Cyrus H. Allen, Oliver E. Ross, Assistant Surgeons.

*Ninth Regiment*—Walter B. Carpenter, Surgeon; Walter W. Vincent, Erastus P. Fairman, Assistant Surgeons.

*Tenth Regiment*—Willard A. Child, Surgeon; Joseph C. Rutherford, Almon Clark, Assistant Surgeons.

*Eleventh Regiment*—Cassius B. Park, Jr., Surgeon; John J. Meigs, Edson O. Porter, Assistant Surgeons.

*Seventeenth Regiment*—Ptolmey O'Neil, Edson, Surgeon; Henry Spohn, Assistant Surgeon.

*First Cavalry Regiment*—Geo. F. Gale, Surgeon; Edward B. Nims, Assistant Surgeon.

## STATE MILITARY AGENCY.

The State Military Agency at Washington, under the faithful, efficient management of F. F. Holbrook, Esq., has become a "business of inquiry and correspondence" through which information is communicated to and from sick and wounded soldiers in hospital and camp, and their friends at home. It has also become the source through which reports of disasters to Vermont soldiers are transmitted to the authorities of the State with promptness and punctuality. I am happy to testify to the importance of the agency, and to the value of Mr. Holbrook's services as Commissioner.

As Mr. Holbrook is necessarily absent from Washington much of the time, I respectfully suggest the appointment of some suitable person, or that he may be authorized to employ a competent clerk to co-operate with him in the discharge of the constantly increasing duties of the agency. Its usefulness would thereby be very much extended, by affording a medium constantly available through which soldiers and their friends could communicate with each other—an agency for soldiers, to aid them in obtaining pay, to provide temporarily for their necessities, to assist them and their friends in procuring papers, and to furnish them with information which they often seek for without success, simply for the reason that they know not where to apply.

## DISCHARGED VERMONT SOLDIERS.

I most respectfully invite the attention of your Excellency to the consideration of the condition of the discharged Vermont soldiers, who have been maimed and broken down in our country's service, totally and permanently disabled, homeless, and without any means of support except

the small pension received from government—with the hope that our State Legislature will by public enactment provide some means to furnish them with a home, supply them with the necessities of life, and place them in a condition independent of the charities of the world. I have been applied to by several young men, who have lost an arm, for advice and assistance. I have recommended to them a course of study which will prepare them for clerks and accountants, and rendered them all the assistance at my command. I have been highly gratified with the results of the aid and encouragement given them by the zeal manifested in the prosecution of their studies, and the proficiency they have made in the science of book-keeping and the art of penmanship.

The 17th Regiment Vermont Volunteer Infantry was rendezvoused and mustered into the United States service at camp Ethan Allen, Burlington. While in quarters, considerable sickness (measles, mumps, and diphtheria,) prevailed among the recruits, and it became necessary to provide temporary hospital accommodations for them. Through the assistance of Adjutant General P. T. Washburn and Quartermaster General George F. Davis, ample provision was made for them with trifling expense to the State. In connection with other duties, I made a personal inspection of each recruit of the 3d Vermont Light Artillery, and the 17th Regiment Vermont Volunteer Infantry, previous to their being mustered into the United States service. I also attended to the vaccination of them previous to their departure from the State.

I have distributed blanks among the field and line officers in the Vermont Brigade for the purpose of obtaining individual records of soldiers, record and dates of death, places of burial, and other facts which will be of interest, if not of value, in connection with the history of Vermont soldiers and this rebellion. I am under obligations to the officers (more particularly of the Medical Staff,) for their earnest response to my requests.

## HOSPITALS IN VERMONT.

## U. S. A. GENERAL HOSPITAL, BRATTLEBORO, VT.

E. E. PHELPS, *Surgeon U. S. Volunteers, in charge.*

Rem'g Sep. 30 '63			Gain.			Returned from furlough and desertion.	Aggregate.	Loss.							Rem'g Sep. 30 '64		
Sick.	Wounded.	Total.	Sick.	Wounded.	Total.			Returned to duty.	Sent to General Hospital.	Furloughed.	Transferred to V. R. Corps.	Discharged.	Deserted.	Died.	Sick.	Wounded.	Total.
193	130	323	1323	1106	2429	799	3551	1157	717	920	56	26	111	77	254	233	487

Total number of beds in hospital, September 30, 1864, 893.

## SLOAN U. S. A. GENERAL HOSPITAL, MONTPELIER, VT.

GEO. P. JAQUETTE, *Assistant Surgeon U. S. A., in charge.*

Rem'g Sep. 30 '63			Gain.			Returned from furlough and desertion.	Aggregate.	Loss.							Rem'g Sep. 30 '64		
Sick.	Wounded.	Total.	Sick.	Wounded.	Total.			Returned to duty.	Sent to General Hospital.	Furloughed.	Transferred to V. R. Corps.	Discharged.	Deserted.	Died.	Sick.	Wounded.	Total.
000	000	000	372	478	850	212	1062	156	103	268	000	3	66	8	220	238	458

Number of beds in Hospital 499.

## BAXTER U. S. A. GENERAL HOSPITAL, BURLINGTON, VT.

SAMUEL W. THAYER, *Acting Assistant Surgeon U. S. A., in charge.*

Rem'g Sep. 30 '63			Gain.			Returned from furlough and desertion.	Aggregate.	Loss.							Rem'g Sep. 30 '64		
Sick.	Wounded.	Total.	Sick.	Wounded.	Total.			Returned to duty.	Sent to General Hospital.	Furloughed.	Transferred to V. R. Corps.	Discharged.	Deserted.	Died.	Sick.	Wounded.	Total.
40	38	78	589	344	933	154	1165	439	38	170	107	30	39	20	134	185	319

Total number of beds in Hospital, September 30th, 1864, 250.

The deficiency in beds has been supplied by the use of temporary beds and bunks, which are used by men after they become convalescent.

## RECORD OF MEDICAL STAFF OF VT. VOLUNTEER REGIMENTS.

Reg.	Name.	Rank.	When Com.	By Gov.	Discharged.	Reason.
1st	E. K. Sanborn	Surgeon	Apr. 26, 1861	Fairbanks	Aug. 15, 1861	Mustered out.
	Willard Child	Asst. Surg.	do	do	do	do
2d	Newton H. Ballou	Surgeon	June 13, 1861	do	Dec. 18, 1862	Resigned.
	Wm. J. Sawin	do	Dec. 18, 1862	Holbrook	June 29, 1864	Mustered out.
	Benj. W. Carpenter	Asst. Surg.	June 13, 1861	Fairbanks	June 20, 1862	For prom. 9th Regt.
	Wm. J. Sawin	do	June 21, 1862	Holbrook	Dec. 18, 1862	do 2d do
	A. A. Atwood	do	Sep. 22, 1862	do	June 25, 1863	Resigned.
	Luman A. Noyes	do	Apr. 14, 1863	do	May 27, 1863	do
	Melvin J. Hyde	do	Sep. 12, 1863	do		
	Edwin R. Brush	do	Oct. 15, 1863	Smith		
3d	Henry James	Surgeon	June 24, 1861	Fairbanks	May 9, 1863	do
	David M. Goodwin	do	Apr. 29, 1863	Holbrook	July 27, 1864	Mustered out.
	David M. Goodwin	Asst. Surg.	June 20, 1861	Fairbanks	Apr. 29, 1863	For prom. 3d Regt.
	Henry T. Smith	do	Sep. 15, 1862	do	Apr. 22, 1864	Honorably
	Henry C. Newell	do	Oct. 2, 1863	Holbrook		
4th	Samuel J. Allen	Surgeon	Aug. 29, 1864	Fairbanks	Sep. 30, 1864	Mustered out.
	Willard A. Child	Asst. Surg.	do	do	Aug. 6, 1862	Prom. Surg. 10th R.
	Edwin Phillips	do	Aug. 6, 1862	Holbrook	Oct. 28, 1863	do 6th R.
	Armentus B. Bixby	do	Oct. 6, 1862	do		
5th	Wm. P. Russell	Surgeon	Aug. 29, 1861	Fairbanks	Oct. 11, 1862	Dismissed.
	P. D. Bradford	do	Dec. 3, 1862	Holbrook	Mar. 1, 1862	Resigned.
	A. H. Chesmore	do	Mar. 1, 1863	do		
	Henry C. Shaw	Asst. Surg.	Aug. 29, 1861	Fairbanks	Sep. 7, 1862	Died
	A. F. Burdick	do	Sep. 23, 1862	Holbrook	May 26, 1863	Resigned.
	A. H. Chesmore	do	Sep. 25, 1862	do	Mar. 1, 1863	Prom. Surg. 5th Reg.
	Henry C. Atwood	do	May 6, 1863	do	June 25, 1863	Resigned.
	D. L. C. Colburn	do	Aug. 18, 1862	do		
6th	R. M. Woodward	Surgeon	Oct. 14, 1861	do	Oct. 29, 1861	Discharged
	C. M. Chandler	do	Oct. 29, 1861	do	Oct. 7, 1863	Resigned.
	Edwin Phillips	do	Oct. 28, 1863	Smith		
	C. M. Chandler	Asst. Surg.	Oct. 14, 1861	Holbrook	Not known	Prom Surg 6th Reg.
	Lyman M. Tuttle	do	Nov. 18, 1861	do	Dec. 26, 1862	Resigned.
	Edward M. Curtis	do	Jan. 29, 1863	do		
	C. A. Chapin	do	July 8, 1863	do	Sep. 14, 1863	Died.
7th	Francis W. Kelley	Surgeon	Feb. 4, 1862	do	Sep. 8, 1862	Resigned.
	Enoch Blanchard	do	Sep. 15, 1862	do		
	Enoch Blanchard	Asst. Surg.	Feb. 4, 1862	do	Sep. 15, 1862	Promoted Surgeon.
	Elihu S. Foster	do	Oct. 1, 1862	do		
	Henry H. Langdon	do	Oct. 3, 1862	do	Mar. 27, 1863	Resigned
	Chas. H. Tenney	do	May 26, 1863	do	Jan. 20, 1864	do
8th	Geo. F. Gale	Surgeon	Dec. 14, 1861	do	June 24, 1862	do
	Heman H. Gillett	do	June 25, 1862	do		
	Heman H. Gillett	Asst. Surg.	Dec. 14, 1861	do	June 25, 1862	Promoted Surgeon.
	Samuel H. Currier	do	June 25, 1862	do	Oct. 20, 1862	Resigned.
	Cyrus H. Allen	do	Oct. 1, 1862	do		
	Oliver E. Ross	do	Sep. 17, 1863	do		
9th	W. B. Carpenter	Surgeon	June 21, 1862	do		
	Horace P. Hall	Asst. Surg.	June 30, 1862	do	Mar. 13, 1863	do
	Story N. Goss	do	Sep. 26, 1862	do	Oct. 15, 1863	do
	Walter S. Vincent	do	Apr. 20, 1863	do		
	E. P. Fairman	do	Apr. 9, 1864	Smith		
10th	Willard A. Child	Surgeon	Aug. 6, 1862	Holbrook		
	J. C. Rutherford	Asst. Surg.	Aug. 8, 1862	do		
	Almon Clark	do	Aug. 11, 1862	do		
11th	C. W. B. Kidder	Surgeon	Aug. 18, 1862	do	Sep. 10, 1863	do
	C. B. Park, Jr.	do	Oct. 3, 1863	do		
	Edward O. Porter	Asst. Surg.	Aug. 19, 1862	do		
	John J. Meigs	do	Aug. 11, 1862	do		
12th	Benj. F. Ketchum	Surgeon	Sep. 19, 1862	do	July 14, 1863	Mustered out.
	Oliver E. Ross	Asst. Surg.	Jan. 29, 1863	do	do	do
13th	George Nichols	Surgeon	Sep. 24, 1862	do	July 21, 1863	do
	John B. Crandall	Asst. Surg.	Oct. 2, 1862	do	do	do
14th	Edwin H. Sprague	Surgeon	Oct. 8, 1862	do	Dec. 1, 1862	Incompetency.
	A. T. Woodward	do	Feb. 9, 1863	do	July 30, 1863	Mustered out.
	L. D. Ross	Asst. Surg.	Oct. 8, 1862	do	do	do
15th	Carleton P. Frost	Surgeon	Oct. 2, 1862	do	May 3, 1863	Resigned.
	Gates B. Bullard	do	May 4, 1863	do	Aug. 5, 1863	Mustered out.
	Gates B. Bullard	Asst. Surg.	Oct. 2, 1862	do	May 3, 1863	Promoted Surgeon.
16th	C. B. Park, Jr.	Surgeon	Oct. 18, 1862	do	Aug. 10, 1863	Mustered out.
	Geo. Spafford	Asst. Surg.	Oct. 23, 1862	do	do	do
17th	P. O'Meara Edson	Surgeon	Mar. 16, 1864	Smith		
	Henry Snhon	Asst. Surg.	Apr. 18, 1864	do		
Cav	Geo. S. Gale	Surgeon	Nov. 1, 1861	Fairbanks		
	P. O'Meara Edson	Asst. Surg.	Nov. 5, 1861	do	Apr. 1, 1864	For prom. 17th Reg.
	Elmore J. Hall	do	Jan. 1, 1863	Holbrook	Sep. 16, 1864	Resigned.
	Edward B. Nims	do	May 9, 1864	Smith		

Respectfully submitted.  
SURGEON GENERAL'S OFFICE, Burlington, Vt., October, 1, 1864.

SAM'L W. THAYER, Acting Surgeon General, Ft.

## REPORT OF THE INSPECTOR OF FINANCE.

(Referred to on Page 152 of the Journal.)

To the General Assembly of the State of Vermont:

Having completed the examination of vouchers alluded to in a previous report, I submit herewith a statement of 99,400 orders for extra State pay to soldiers, produced as voucher by the State Treasurer. These vouchers have been examined, a careful, and I believe correct, computation made, and have all been securely canceled by me.

Respectfully submitted,  
November 12, 1864.

EVELYN PIERPOINT, Inspector of Finance.

## STATEMENT OF ORDERS PAID BY STATE TREASURER FOR MONTHLY ALLOWANCE TO SOLDIERS.

SECOND REGIMENT.			THIRD REGIMENT.		
Company A	\$5,599 76	Company A	\$5,040 14		
B	5,362 92	B	4,350 72		
C	3,851 85	C	4,024 07		
D	6,277 11	D	5,398 37		
E	5,319 04	E	4,449 81		
F	5,480 82	F	4,334 32		
G	5,826 79	G	3,818 06		
H	5,836 10	H	4,683 09		
I	5,460 90	I	5,067 11		
K	4,363 53	K	2,742 73		
Detachment	13,005 61	Detachment	9,506 90		
Recruits	315 00	Recruits	562 00		
	<hr/>		<hr/>		
	\$66,699 43		\$53,977 41		

FOURTH REGIMENT.		NINTH REGIMENT.	
Company A	\$4,381 10	Company A	\$4,602 49
B	4,148 89	B	4,431 45
C	4,500 26	C	5,221 75
D	4,063 95	D	4,536 45
E	4,837 57	E	5,439 21
F	4,804 55	F	4,773 05
G	3,770 65	G	4,547 87
H	5,059 59	H	4,752 53
I	3,828 50	I	3,979 63
K	4,226 82	K	5,194 21
Detachment	6,090 45	Detachment	1,221 02
Recruits	2,156 00		\$48,699 66
	\$51,868 33		
FIFTH REGIMENT.		TENTH REGIMENT.	
Company A	\$4,131 60	Company A	\$6,634 81
B	4,414 38	B	7,005 10
C	3,999 69	C	6,859 05
D	3,521 93	D	6,585 36
E	2,436 91	E	6,347 59
F	3,618 75	F	6,776 70
G	3,960 36	G	7,070 98
H	3,713 26	H	6,984 60
I	4,659 66	I	6,419 90
K	3,769 02	K	6,770 38
Detachment	5,564 98		\$67,454 47
Recruits	1,531 59		
	\$45,251 53		
SIXTH REGIMENT.		ELEVENTH REGIMENT.	
Company A	\$3,599 39	Company A	\$9,110 95
B	2,423 39	B	8,480 25
C	4,752 81	C	8,999 24
D	3,606 39	D	9,265 18
E	3,555 34	E	9,138 02
F	3,741 26	F	9,061 94
G	3,381 92	G	8,798 62
H	3,438 39	H	8,542 76
I	3,616 17	I	8,405 83
K	3,342 27	K	9,163 69
Detachment	9,309 99	L	10,452 85
Recruits	859 36	M	8,530 87
	\$45,626 68		\$107,950 20
SEVENTH REGIMENT.		FIRST CAVALRY.	
Company A	\$4,130 45	Company A	\$4,127 88
B	4,298 22	B	5,565 68
C	4,768 86	C	5,690 48
D	5,434 32	D	4,556 06
E	3,608 73	E	5,542 31
F	3,600 79	F	5,654 59
G	3,784 90	G	5,025 53
H	3,485 87	H	5,388 10
I	3,520 06	I	5,281 26
K	3,900 38	K	4,940 35
	\$40,532 58	L	7,858 66
Less for orders refunded on pay-		M	6,935 36
ment of commutation,	745 10	Detachment	11,099 18
	\$39,787 48		\$77,655 44
EIGHTH REGIMENT.		BATTERY REGIMENT.	
Company A	\$4,942 62	First Company	\$9,807 04
B	4,862 62	Second Company	10,007 83
C	6,077 94	Third Company	5,380 65
D	5,480 48		\$25,195 52
E	3,828 45		
F	6,606 96		
G	5,549 15	Company E	\$4,258 98
H	5,580 17	F	3,343 06
I	5,729 28	H	4,690 71
K	5,728 29	Detachment	4,944 80
	\$54,385 96		\$17,237 55

Fifty-fourth Mass. (Colored)		\$2,300 66	RECAPITULATION.	
Brigade Band		1,043 00		
Recruits assigned to various Reg'ts		743 86	Second Regiment	\$66,699 43
Drafted men, Companies A and B,		7,943 60	Third Regiment	53,977 41
Balance to Nine Months Regiments,		3,126 94	Fourth Regiment	51,868 33
			Fifth Regiment	45,251 53
			Sixth Regiment	45,626 68
SEVENTEENTH REGIMENT.			Seventh Regiment	39,787 48
Company A	\$2,771 76		Eighth Regiment	54,385 96
B	2,716 69		Ninth Regiment	48,699 66
C	1,704 26		Tenth Regiment	67,454 47
D	1,184 86		Eleventh Regiment	107,950 20
E	815 73		Seventeenth Regiment	12,540 22
F	971 83		First Cavalry	77,655 44
G	1,240 63		Batteries, Sharp Shooters and other	
H	658 46		detachments	57,591 13
I	476 00			
		\$12,540 22		\$729,487 94

## REPORT OF THE COMMITTEE ON FINANCE RELATIVE TO THE FINANCES OF THE STATE.

(Referred to on Page 163 of the Journal.)

Mr. Clark presented the following report:

SENATE CHAMBER, November 16, 1864.

*To the Honorable Senate now in Session:*

The Committee on Finance, to whom was referred so much of the Governor's Message as relates to the Finances of the State, respectfully report that they have considered the same, and submit the following:

The debt of the State, including the excess of current liabilities over current resources, as ascertained by the Treasurer's Report, amounts to \$1,640,845 12

This sum is principally funded, and is payable in the years 1871, 1874 and 1876.

The foregoing does not include a claim of the State on the General Government of

90,000 00

If allowed and paid it will reduce the State debt to

\$1,550,845 12

Assuming the greater amount as the debt of the State, if a division is made the debt of each individual will be \$5 21, or of each family of five persons will be \$26 05.

The ordinary expenses of the year, including interest on the funded debt, are \$231,758 88

War expenses, 997,235 07

Making the total expenses of the year,

\$1,228 993 95

The proceeds of taxes raised upon the Grand List of the year amount to \$931,853 16, which have been applied in payment of expenses, extinguishing about three-fourths of the expenses of the year.

The increase of the State debt for the current year is \$233,447 61. A sum much larger than the State tax, it is estimated, has been raised by towns for bounties to volunteers. This sum, if it had been applied to the payment directly of the State debt would have extinguished it wholly.

The aggregate valuation of the personal and real estate, as determined by the Eighth Census, amounts to \$122,477,170 00, showing the debt about equal to one and one-third per cent. of the value of the property of the State; or taking the estimate from the Grand List of the year, it will not exceed one and seven-tenths per cent.

There having been some misapprehension in regard to the Finances of the State, the Committee have deemed it proper to furnish these particulars to the Senate.

Upon an examination of the financial resources of the State, it has been found that in the increase of population, and in many of the branches of industry, we are far behind the other New England States.

The Census of the last decade furnishes, by statistics, a sharp contrast, and exhibits more fully our relative condition.



For instance, the ratio of the increase of population will be found to stand thus :

In Connecticut	42.10
Massachusetts	23.79
Rhode Island	18.35
Maine	7.74
New Hampshire	2.65
Vermont	0.31
The ratio of the increase of the population has diminished	
From 1790 to 1800	81.94
1800 to 1810	42.25
1810 to 1820	8.29
1820 to 1830	19.04
1830 to 1840	4.02
1840 to 1850	7.59
1850 to 1860	0.31

The evidence furnished from industrial pursuits is equally conclusive.

In iron founding, Maine, New Hampshire and Rhode Island have made large increase in the product; Massachusetts has fallen off 5 per cent.; Connecticut 10 per cent.; and Vermont more than 27 per cent. Vermont compares unfavorably in the increase of cotton goods, boots and shoes, woolen goods, soap and candles, clothing and leather, and favorably in the production of flour and meal, and sawed and planed lumber.

In addition to the evidence based upon population and the industrial products, the comparative increase of value of real and personal estate exhibits a similar result.

The estate of Connecticut has increased	185.32 per cent.
do do Rhode Island do	68.10 do
do do Maine do	54.92 do
do do New Hampshire do	50.80 do
do do Massachusetts do	42.19 do
do do Vermont do	32.83 do

In the approximate statistics of the products of industry of the New England States, based upon the capital invested in business, the annual average value is 190, while that of Vermont is 168.

Ought not this array of evidence to raise the inquiry why one State has fallen so far behind in the race of national progress? The cause cannot exist in our climate or soil, or the character of our people. We furnish fine specimens of hardy, strong men; our soil responds in rich harvests to the labors of the husbandman, while our sons join in the councils of States, and stand in the front rank of the army.

The provisions of our statutes are unlike those of other New England States. They have, with the exception of a few years, taxed foreign capital, preventing its introduction. They allow the seizure of property by attachment, and afford no relief to the unsuccessful business man by laws of insolvency. It is believed that many of the enterprising men of our State have sought homes elsewhere, to obtain, through the beneficent legal provisions of other States, a relief denied them here.

In view of the debt of the State, its future welfare, growth and other interests, does not a prudent foresight claim at our hands an examination of the causes which retard our progress, and discredit us in comparison with other States?

The national debt at this time does not exceed two thousand million of dollars. Many civilians maintain that the present revenue from taxes and customs, amounting probably to three hundred million of dollars, will pay, in time of peace, the annual interest upon the debt, amounting to one hundred million, the expenses of the army, fifty million, and ordinary government expenses, eighty million, thus leaving thirty million applicable to the payment of the principal of the public debt. They further maintain that a national debt is a national blessing, and that if the present debt had existed previous to 1860, it would have been a regulator, and prevented the war.

Leaving these opinions, the committee would ask attention to the statistics and statements which follow, showing conclusively, in their opinion, that the national strength is equal to the burden imposed by the present war.

It should be borne in mind, however, that our debt is due principally to our own citizens, and its payment is an exchange from one to another. It will not be exhaustive like a foreign debt, and it is difficult to conceive how the interchange of two thousand million of dollars, spread over the period of forty years, and distributed among the people, can diminish the aggregate of the national wealth.

The value of personal and real estate, increased from seven thousand million dollars in 1850, to sixteen thousand million in 1860, being an increase of 126 per cent. Estimating upon these premises, the value of the property of the nation, on the first day of January, 1865, will amount to twenty-six thousand million of dollars.

The payment of the public debt, by the provisions of the acts authorizing it, is distributed over a period of forty years, and on an average requires the payment yearly of fifty million of dollars. Add annual interest on the whole debt, at five per cent., amounting to one hundred million, and we have one hundred and fifty million of dollars as the sum to be provided for.

As shown by the census of 1850, an assessment on the products of industry, either in Massachusetts of 67 per cent., Pennsylvania of 53 per cent., New York of 40 per cent., or upon all the States of 8 per cent., would pay this sum annually.

We have other means of payment, in the augmentation of products over the averages of 1860. The Commissioner of the Land Office in 1862, in speaking of the auriferous region, in the western portion of the Continent, says: "The yield of the precious metals alone, will not fall below one hundred million of dollars, and will increase for centuries to come. Within

ten years the annual product will reach two hundred millions of dollars in the precious metals, and in coal, iron, tin, lead, quicksilver and copper, half that sum." The estimate of the production of the precious and other metals, including petroleum, exceeds one hundred and eighty-two million dollars for the year 1863, as stated in the Bankers' Magazine for October.

A pamphlet recently prepared at the Treasury Department, not yet officially published, states the increase of domestic exports, over those of 1860, for the year 1861, at twenty-eight million of dollars, for 1862 at thirty-nine million dollars, and for 1863 at one hundred and thirty-two million dollars. Abundance of staple articles produced does not constitute national wealth, if foreign exchanges exhaust us through the payment of heavy balances. But the same publication states the balance of trade to be in favor of the United States for the same years, and that the excess of imports of gold over exports amounts to ninety-seven million of dollars.

The public lands, containing one thousand and forty-four million of acres, though not available at present, should not be lost sight of, as an element of strength. An estimate of their extent and value can best be formed by comparison. Their geographical area covers two-thirds of the public domain, and if sub-divided would make thirty-two States, each equal to the great central State of Ohio. They yield the products of the tropics, the cereals of the temperate zones, and contain the richest deposits of gold, silver, mercury and other metals. At government price they are worth thirteen thousand million dollars. Who can estimate their value in future years, as a financial resource, under the control of a free people?

"Immigration in the United States is anomalous, and without precedent in history." An immigrant, as laborer or producer has a value, which belongs to the country, and may be fairly estimated as yielding revenue. A recent work by David A. Wells, estimates the value of emigrants settling in our country at five hundred dollars *per capita*. Upon this basis the two hundred and fifty thousand immigrants of the present year, as an element of strength, are worth one hundred and twenty-five million dollars. The New York Geographical Society, from observations extending over seventeen months, give an average of one hundred dollars (principally in coin) as the property of each immigrant. This gives an additional sum of twenty-five million of dollars.

The substitution of free labor, for slave labor, in the opinion of your Committee, will prove a great national advantage. Hon. Robert J. Walker has recently brought out this remarkable fact: "that the product of labor per head in Massachusetts is two hundred and thirty-five dollars, in Maryland ninety-six dollars, in South Carolina fifty-six dollars, or in free Massachusetts, the reward of labor is more than double that in Maryland, and four times that in South Carolina." The adoption of a system of free labor, will make available our undeveloped wealth to pay the interest and principal of our national debt, and in the opinion of Mr. Walker, will amount in ten years to the great sum of seventeen thousand million of dollars.

Cotton has been regarded as one of the chief elements of national wealth. Five million of bales, valued at two hundred and fifty million of dollars, were "raised in 1860 by the labor and watered by the tears of four million of slaves." Some idea may be formed of the capacity of the cotton states when it is known that less than one and seven tenths per cent. of available lands have yet been employed in its cultivation. The exports of cotton, rice and naval stores in 1860 exceeded one hundred and ninety-six million of dollars.

It may be said that this source of revenue will not be hereafter available for the extinguishment of the public debt. But from the verdict just pronounced by the people—and from which there can be no appeal—the *slave is free*, and the control of the cotton states will not be given up, it is devoutly hoped, except with the national life. "The freedom of the slave, and the existence of a free government," says Professor Kendrick, "are of more consequence than the wealth of the nation and the lives of all that dwell in it."

"Since 1816 Great Britain, with a population of nineteen million two hundred and seventy-five thousand, and at that date, without railways, ocean steamers or labor-saving machinery, being engaged in foreign and domestic wars, has carried for the last forty-eight years the enormous debt of four thousand two hundred and five million of dollars, and now ranks in wealth and industrial power among the first nations of the earth." What then may we anticipate as the future of this Republic, with a producing population fifty per cent. larger, a debt of one-half the magnitude, with railways, ocean steamers labor-saving machinery, immigration unprecedented in the history of the world, with an annual income of millions of gold, and all the elements of growth and improvement in a degree unequalled? Such resources and such strength, sure as the laws of gravitation, will enable us to carry the burthen of our public debt.

MERRITT CLARK,  
CLARK H. CHAPMAN, } Committee.  
WILLIAM S. RUBLEE, }

NOTE.—In the preparation of this Report, the Committee are indebted to the Bankers' Magazine, papers from the Treasury Department, and other publications, using, in many instances, not only the figures but the language of others.

OPINION OF THE JUDGES OF THE SUPREME COURT, ON THE  
CONSTITUTIONALITY OF "AN ACT PROVIDING FOR SOL-  
DIERS VOTING."

(Referred to on Page 40 of the Journal.)

STATE OF VERMONT—A PROCLAMATION.

WHEREAS, the General Assembly of the State of Vermont, at its annual session of 1863, passed an act entitled "An act providing for soldiers voting," the twelfth section of which act is as follows:

"SEC. 12. This act shall not take effect until the Governor submits the same to the Judges of the Supreme Court, with the inquiry, Are the provisions of this act constitutional? and until the Governor has obtained in writing the opinion of said Judges thereon: and if said Judges decide that the provisions of the act or certain parts thereof are unconstitutional, then the same or such parts thereof as said Judges shall decide are unconstitutional, shall be null and void, and the residue shall remain in full force and virtue."

And, whereas, in pursuance of said section, on the twentieth day of January, A. D. 1864, I submitted a copy of said act to the Judges of the Supreme Court, with the inquiry, "Are the provisions of this act constitutional?" and the Judges of the Supreme Court having given me in writing their opinion that the provisions of said act providing for soldiers voting for the following officers, viz., Governor, Lieutenant Governor, and Treasurer, are unconstitutional, and that the provisions of said act providing for soldiers voting for members of Congress and electors for President and Vice President of the United States are constitutional:

Therefore, I, John Gregory Smith, Governor of Vermont, do declare that so much of the act entitled, "An act providing for soldiers voting," approved November 11, 1863, as provides for taking the votes of soldiers for members of Congress and electors of President and Vice President of the United States, having been declared constitutional by the Judges of the Supreme Court, is the law of this State.

Given under my hand, and seal of the State, in Executive Chamber at St. Albans, this tenth day of May, in the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-eighth.

J. GREGORY SMITH.

By His Excellency the Governor,  
SAMUEL WILLIAMS, Sec'y of Civil and Military Affairs.

AN ACT PROVIDING FOR SOLDIERS VOTING.

*It is hereby enacted by the General Assembly of the State of Vermont:*

SEC. 1. All qualified electors of this State who shall be in the actual military service of the United States, either within the State or without the same, on the days appointed for elections by the constitution of the State of Vermont and the laws of Congress, in any year, shall be entitled to exercise the right of suffrage at the several posts, camps or places where the regiment or battery of artillery, or part of a regiment not less than one company, or part of a company under a separate command, to which such electors belong, may be on that day, as fully as if such electors were present at the places in this State where such election may be held, and where such persons would be entitled to vote, any provisions of law now in force to the contrary notwithstanding. *Provided*, that this section shall not extend to, and include any person in the regular or standing army of the United States, nor any person in any regiment, battery or company organized and officered out of this State.

Sec. 2. To carry into effect the provisions of the preceding section, elections may be held at the several posts, camps or places in said section mentioned, which elections shall be conducted, so far as practicable and not inconsistent with the provisions of this act, in the manner prescribed by the general election laws of this State.

Sec. 3. At the election, to be held on the first Tuesday of September, each elector authorized to vote by this act, shall have the right to vote for the following officers, viz: Governor, Lieutenant Governor, Treasurer, and members of Congress. At the election for electors, to be held on the first Tuesday of November, each elector authorized to vote by this act shall have the right to vote for electors.

Sec. 4. The vote shall be taken by companies. The three ranking officers in each company of infantry, or cavalry, or battery of artillery, shall act as special constables to preside at the elections held under the provisions of this act. In case of the absence, or inability, or refusal to act of any of the officers hereinbefore named, their duties as such constables shall be performed by the officers next in rank. The officer highest in rank so acting in such company, shall be the chairman of the board of constables. The board of constables of each company shall make a separate canvass and statement of the result in writing, of the votes cast by such company, as hereinafter provided. The regimental and staff officers of each regiment shall be entitled to vote at the polls opened in any company of the regiment to which they belong.

Sec. 5. The officers who shall act as constables under this act shall appoint two electors to act as clerks of elections.

Sec. 6. Previous to receiving any votes, such constables and clerks shall severally take an oath or affirmation that they will support the constitution of the United States and of the State of Vermont, and will perform their duties as constables or clerks according to law, and will studiously endeavor to prevent all fraud, deceit, or abuse in conducting the same. This oath or affirmation shall be either printed or in writing, or partly written and partly printed, shall be subscribed by the persons taking the same, and may be administered by either of said constables, and shall be annexed to, and returned with the poll books as hereinafter provided.

Sec. 7. The polls of the election shall be opened and closed at such hours as the constables or a majority of them shall determine. *Provided*, that time shall be given for all voters in the company or battery to vote; and that notice of the time of closing the polls shall be given at least one hour before the closing of the same.

Sec. 8. The ballots to be voted for at the elections held under this act, shall have printed or written at the top of the ballot, the name of the county in which the person offering to vote is a voter, and the constable shall refuse to receive any ballot, which does not thus show the name of the county. Each ballot, in addition to the name of the county; shall have printed or written upon it the name of the person voted for, with a pertinent designation of the office which he or they may be intended to fill. The ballot thus prepared shall be on one piece, and all the ballots shall be deposited in one box; and it is the duty of the constable to be satisfied that the person offering to vote is a legal voter of the county which is shown at the top of the ballot.

Sec. 9. It shall be the duty of each of such constables, and the privilege of each elector, to challenge any person offering to vote, when he shall know or have any reason to suspect or believe that such person is not a qualified elector: and to every person challenged by any constable or qualified elector, one of the constables shall administer an oath that he will true and full answer make to all questions touching his residence, and qualifications as an elector at the election; and the same questions in substance shall be put, and the same proceedings had, as may be required at general elections in this State; and the case of such person so challenged shall be decided by a majority of the constables.

Sec. 10. The clerks shall keep correct poll lists, containing the names of the voters and their respective places of residence in this State, giving the name of the town or city and county in which they severally have a residence, which lists shall be certified by the constables, or a majority of them, and clerks to be correct.

Sec. 11. After the polls are closed the constables shall canvass the votes cast, and shall make a statement of the result in writing, which canvass and statement shall be made by counties, so far as practicable. And a copy of such statement, duly certified to be correct by the constables, or a majority of them, shall be transmitted to the Governor of this State, together with one of the poll lists, and a like copy with the other poll list, shall be transmitted to the Secretary of State. The said constables shall also cause all the ballots to be sealed up and transmitted to the Secretary of State, with the statement and poll lists; and the Secretary of State shall return said votes to the General Assembly, to be canvassed the same as provided for in reference to votes for the same officers cast in this State.

Sec. 12. This act shall not take effect until the Governor submits the same to the Judges of the Supreme Court, with the inquiry, Are the provisions of this act constitutional? and, until the Governor has obtained in writing the opinion of said Judges thereon; and if said Judges decide that the provisions of the act or certain parts thereof are unconstitutional, then the same or such parts thereof as said Judges shall decide are unconstitutional, shall be null and void, and the residue shall remain in full force and virtue.

Approved, November 11, 1863.

#### OPINION.

*To his Excellency John Gregory Smith, Governor of Vermont:*

Your communication, requiring the opinion of the Judges of the Supreme Court upon the constitutionality of "An act providing for soldiers voting," was received in January last, but

the constant engagement of all the members of the Court on the winter circuit, from that time until within a few days, has prevented them from giving the subject that examination and attention which its importance demands, at an earlier day, and delayed our answer to the present time. The act provides generally for taking the votes of all qualified electors of this State in the volunteer military service of the United States wherever they may be, within or without the State, on the days provided by law for the election of Governor, Lieutenant Governor, and Treasurer of the State, and for Members of Congress, and electors of President and Vice President.

The act contains various provisions as to the manner of voting, intended to secure fairness, and prevent fraud or mistake, and then provides that the ballots thus taken, and the voting lists required to be kept by the officers presiding at such elections, shall be returned to the Secretary of State, who shall return said votes to the General Assembly, to be counted with the votes cast in the State for the same officers.

The 12th section of the act provides "That this act shall not take effect until the Governor submits the same to the Judges of the Supreme Court, with the inquiry, 'Are the provisions of this act constitutional?' and until the Governor has obtained in writing the opinion of said Judges thereon; and if the said Judges decide that the provisions of the act, or certain parts thereof, are unconstitutional, then the same, or such parts thereof as said Judges shall decide are unconstitutional, shall be null and void, and the residue thereof shall remain in full force and virtue."

The single question submitted to the Judges, as we understand it, is, as to the constitutional power of the Legislature to authorize the taking of votes without the State, for the officers named in the act. Our examination, therefore, has been, and our answer will be strictly confined to that. If the Legislature can constitutionally authorize votes to be taken without the State, the means or machinery by which it is to be effectuated, must necessarily be mainly within the judgment and discretion of the framers of the law, and any objection to such means could hardly rise to the dignity of a constitutional question.

Nor do we understand that any question is or can be made, as to the right of any freeman of this State, who has volunteered into the military service of the United States, to give his vote within the State. The absence of such persons from the State, in such service, is not a removal, or change of residence, by which the right of voting is lost, but like an absence from the State upon a journey, or business, is of a temporary character, and the *domicil or residence*, continues within the State, while the person is actually without the State. The question is narrowed, therefore, to the point, whether the constitution requires the votes by which the officers named in this act are elected, to be given *within this State*?

Several States have passed laws similar to the act in question, which have been before their respective courts for examination, and, in all, it has been either expressly or tacitly conceded, that unless some constitutional restriction required the voting to be within the State, it was perfectly competent for the Legislature to provide that persons legally entitled to vote in the State, might cast their votes at some place without the State, and be counted in the election. We proceed, therefore, to consider the question, in the first place, as to the State officers named in the act, Governor, Lieutenant Governor, and Treasurer.

The first provision in the constitution of this State in reference to elections, is of representatives to the General Assembly.

Sec. 7, of part the second, is as follows:—"In order that the freemen of this State might enjoy the benefit of election as equally as may be, each town within this State that consist, or may consist, of eighty taxable inhabitants, within one septenary, or seven years, next after establishing this constitution, may hold elections *therein*, and choose each two representatives; and each other inhabited town in this State, may, in like manner, choose one representative, to represent them in the General Assembly, during the septenary, or seven years; and after that, each inhabited town may, in like manner, hold such election, and choose one representative, forever thereafter."

Sec. 8, of part second, provides that representatives shall be chosen by ballot by the freemen of every town in this State on the first Tuesday annually forever.

It is conceded, as we understand, that under the above provisions of the constitution, the meetings of the freemen for the election of representatives to the State Legislature, must be held within the town, and that it would not be within the constitutional power of the Legislature to provide for their being holden elsewhere, or that votes given elsewhere than in such meeting, could be received. Hence, the act in question does not provide for taking the votes of the soldiers from this State, for town representatives. Sec. 10, of part second, is as follows:—"The freemen of each town shall, on the day of election for choosing representatives to attend the General Assembly, bring in their votes for Governor, with his name fairly written, to the constable, who shall seal them up, and write on them 'Votes for Governor,' and deliver them to the representative chosen to attend the General Assembly. And at the opening of the General Assembly there shall be a committee appointed out of the Assembly, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort, and count the votes for the Governor, and declare the person who has the major part of the votes, to be Governor for the year ensuing. The Lieutenant Governor and Treasurer shall be chosen in the manner above directed."

This section does not, *in terms*, require that the voting for State officers shall be in the same place, or meeting, at which the representative is chosen, but if that is its fair spirit, and meaning, it is equally imperative. The fundamental law of the State must not receive any strained or forced construction, or be made to yield by reason of any peculiar exigency in public or private matters, but must be kept and preserved at all times, the same uniform test and guide, for the citizen, as well as every department of the government established under it. Something may be learned of the understanding of the framers of the constitution, and of the people who adopted it, by a brief reference to the history of the adoption of the constitution, and the early legislation under it.

The first constitution of this State was formed by a convention of delegates from the several towns, which met at Windsor, on the 2d day of July, 1777. This was just at the time of the invasion from the north of the British army, under Burgoyne, which caused great alarm and confusion among the inhabitants, especially in the western part of the State, where many abandoned their homes. The disturbed condition caused by this, and also by the conflicting claims of jurisdiction by New York, and New Hampshire, was such, that this constitution was never submitted to, or ratified by any vote of the people.

But notwithstanding, a State government was organized under it, and the first Legislature met at Windsor, on the 12th day of March, 1778. The provisions of the original constitution, for the election of representatives to the Legislature, and of State officers, were in very nearly the same language as the sections of the present constitution already quoted. The second session of the Legislature was holden at Bennington, in February, 1779. At that session an act was passed "for regulating the election of Governor, Deputy Governor, Council, and Treasurer."

That act, so far as need be quoted, was in the following words:—"The constables in the several towns in this State, without further order, shall, by themselves, or some person deputed by them, warn all the freemen in their respective towns to meet together in some suitable place, by them appointed, in said town, on the first Tuesday of September annually, at nine of the clock in the morning, at which time shall be read the freeman's oath, and the last paragraph of this act, against disorderly voting; who shall then proceed, first to choose representatives to attend the General Assembly for the year ensuing, on the second Thursday of the succeeding October. Then the freemen shall proceed to bring in to the constable present, the name of him whom they would choose to be Governor for the year ensuing, fairly written on a piece of paper, which the said constable shall receive, and, in the presence of the freemen, seal up the same in a piece of paper, and write on the outside of the paper so sealed, the name of the town, and then add these words, viz: *Votes for the Governor*; in like manner for the Deputy Governor, and Treasurer." Some question having arisen as to the binding force of the constitution, the Legislature, at their June session, 1782, held at Windsor, passed an act declaring it valid and binding, as a part of the laws of this State. The first Council of Censors elected under the constitution in 1785, proposed many amendments to the constitution, to be submitted to a convention of the people for adoption, and the same was done by the second council, elected in 1793, some of which were adopted by the conventions called to act upon them. No substantial change, however, was proposed as to the manner of electing Governor, and other State officers, and the original provision was preserved substantially unchanged. The convention called by the second council, and which met in 1793, made a recast of the constitution, embracing all the amendments adopted by the two conventions, making it, in form at least, an adoption of the entire instrument, by that convention, and it was promulgated, and has remained in that form, with subsequently adopted amendments added thereto.

During all this time the act of 1779, above quoted, remained in force. But a small part of the State was settled at this period, and that sparsely, and all public affairs were conducted by a few leading men among the settlers, so that the framing of the constitution, and the early legislation under it, were substantially the work of the same hands.

The act of 1779 shows clearly how this provision of the constitution was then understood; that the votes for Governor, Lieutenant Governor and Treasurer, were to be given in the same meeting at which representatives were elected, that the votes were to be brought in, and delivered to the constable of the town present, and to be sealed up in the presence of the freemen.

The uniform and uninterrupted requirement of the law, and the usage and practice under it, from the organization of the State to the present time, has been, that the voting for Governor, and other State officers, elected by the people, has been in "freemen's meeting," the same in which the representatives have been chosen.

In the opinion of the Supreme Court of Connecticut, given upon the constitutionality of a similar law, proposed in that State, it is said:—"The convention found the 'freeman's meeting' a distinct and peculiar feature in the political system of the State, as old as its history. It originated in 1639, in the compact or constitution formed by the towns of Hartford, Windsor and Weathersfield, in a provision for the warning of a 'freeman's meeting,' to elect deputies from each town to the General Court. From that year, and after the merger of the New Haven colony, under the charter of Charles, there has never been an election by the people, of representatives or State officers, in any other manner or place. The convention adopted this feature, as they did in the main the other institutions of the State, changing its name to 'elector's meeting.'"

This language is, in a good measure, applicable to this State also. A large proportion of the leading men in the early settlement of this State were from the State of Connecticut, and the public institutions, and forms of government, were mainly fashioned upon those of that State. So far was this carried, that in our early legislation it was common for the Legislature to enact that certain offenses should be punished "as provided in the Connecticut law book." In the early settlements in the State, the first form of governmental authority was the *town meeting*, and almost the first form of an official was the *town constable*. Until the formation of a constitution, and a State government under it, all governmental power was in the town, or by delegates from the towns, and "committees of safety," chosen by such delegates.

In our opinion, there is no reasonable ground of doubt, that when the constitution requires the votes for Governor to be "brought in to the constable," it means the constable of the town, the presiding officer in the freemen's meeting. It has been suggested that the office of constable is one not created, or required by the constitution; that it would be per-

fectly competent for the Legislature to abolish the office, and provide that some other officer should preside in freemen's meetings, as they have already in the case of the absence or inability of the constable.

But, granting all this to be true, it proves nothing, provided the constitution, in the use of the word constable, meant the constable of the town, whose official authority was, of course, by law limited to the town, and who could not legally act official y, either in receiving votes, or otherwise, beyond its limits.

For, although the Legislature might have power to provide some other officer to preside in the meeting, it would still remain equally clear that the constitution intended the voting to be in the town, or freemen's meeting.

The whole tenor and spirit of the provisions of the constitution, as it seems to us, point in this direction. The votes for Governor are required to be given on the same day representatives are chosen, the meetings for the choice of which must be within the several towns. If meetings could be held at other places, without any town in the state, why the requirement that it should be on the same day? The language used—"shall bring in their votes"—is significant also. Following the previous direction for choosing representatives, it evidently means the same meeting, on the same occasion.

The further provision that the constable shall seal up the votes, and deliver them to the representatives chosen to the General Assembly, is in unison with the same idea; that the choice of representative, the voting for State officers, the sealing up and delivery of the votes by the constable to the representative, are all to be simultaneous and concurrent acts, performed upon one and the same occasion.

We have heard it suggested, that though this may be the true meaning of the language of the constitution, still that there is no prohibition against voting elsewhere, and that therefore a law authorizing votes at other places, and without the State, is not a violation of the constitution.

Upon this point we cannot better express our own ideas than to quote the language of the Supreme Court of Iowa, in a recent case upon this same general subject. "In either event, the constitution is to be taken as a clear and full mandate, and the Legislature cannot change, extend, or control, its meaning. Thus, if the constitution declares that a thing shall be done in a particular manner or way, it is implied necessarily that it shall not be done in any other. 'To illustrate—If it declares that the votes of the electors shall be cast at a particular place, it is not necessary to prohibit by express words their being cast at any other. But if there is no such express declaration, and none fairly to be implied, it is within the power of the Legislature to fix the place.'"

The Legislatures of several States have passed, or proposed to pass, laws similar to the one under consideration, several of which have received a judicial examination, and it is proper that they be here referred to, although none of them are precisely in point, owing to the differences in State constitutions, yet the principles upon which the decisions have proceeded, may aid in solving the question under our own. The first case arose in Pennsylvania, and, being a case of contested election, came before the court in the regular course of judicial proceeding, and was fully argued by learned counsel.

The provision of the Pennsylvania constitution upon which the validity of their law was to be decided, was in the following words:

"In elections by the citizens, every white freeman, of the age of twenty-one years, having resided in the State one year, and in the election district where he offers to vote ten days immediately preceding such election, and within two years paid a State or county tax, which shall have been assessed at least ten days before the election, shall enjoy the rights of an elector."

The case was examined and discussed with very great fullness and ability by the court, and they held that election districts, within the meaning of their constitution, denoted territorial subdivisions of the State; that the right of voting, by the constitution, must be exercised within the district; and that a law authorizing citizens of the State in the military service of the United States, to give their votes without the State, was contrary to the constitution, and void. The opinion of the court is very lengthy, and quite exhaustive of the whole subject, but we have no space to allow quoting from it. The case may be found reported in the American Law Register, January No., 1863, *Chase v Miller*. The question was next presented in Connecticut. A law of this character was proposed in their Legislature, and in pursuance to a law and usage in that State, the Judges of the Supreme Court were convened by the Governor, to advise as to the constitutional power of the Legislature to enact such a law. Upon consideration, the Judges certified their unanimous opinion to be, that such a law, in respect to the election of Governor, and various other State officers, was not warranted by their constitution.

The constitution of that State provides that "The meetings of the electors for the election of several State officers, by law annually to be elected, and members of the General Assembly of this State, shall be holden on the first Monday of April in each year;" and also that "At the meetings of the electors, held in the several towns in this State in April annually, after the elections for representatives, the electors present shall be called upon to bring in their written ballots for Senators, &c." Very similar language is used in the constitution in reference to the election of Governor, and various other State officers.

In the opinion of the Judges, this language of the constitution required that the votes cast for Senators, Governor, &c., should be in elector's meetings, held in the several towns in the State.

The whole subject was again ably and thoroughly discussed in the opinion of the court, but we can only refer to the report, 30 Con. Report, 591. At the June session, 1863, of the New Hampshire Legislature, a law was proposed, authorizing every qualified voter of that State, in the military or naval service of the United States, to appoint an attorney to deposit

his vote for him at his place of residence, at any election for State, county, or town officers in that State.

By a resolution of the Legislature, the Justices of the Supreme Judicial Court of that State, were requested to give their opinion as to the constitutionality of the proposed law. The opinion was given against the constitutionality of the law, the court holding that by their constitution the right of voting must be exercised by the voter in person, and not be delegated to, or performed by an agent or attorney; and that by their constitution the right must be exercised by the voter within the State, at the times and places pointed out by the constitution. It is needless to quote from the New Hampshire constitution, as the very form of the proposed law shows that it was not claimed that the right of voting could be exercised without the State. The opinion of the Judges may be found in Am. Law Reg., Oct., 1863, 740. The remaining and latest decision upon the subject that we have met with, is from Iowa. Several cases came before the court, all involving the question of the legality of votes cast without the State by citizens and voters of the State, in the military service of the United States, for certain State and county officers. The Legislature of the State had passed a law authorizing such votes cast without the State, to be received and counted in such elections, and the question was as to the validity of the law. The constitution of Iowa contains this clause, "Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State six months next preceding the election, and of the county in which he claims his vote sixty days, shall be entitled to vote at all elections, which are now, or may be, authorized by law."

It appears from the report of these cases in the Am. Law Reg., March 1864, page 276, that the question was fully argued by counsel, and received the full and careful consideration of the court. The court decided that the law of the State in question was constitutional; that the article in the constitution above quoted only defines the qualifications of voters, and does not prescribe the place where the elective franchise is to be exercised. The court, in the opinion given by Wright J., cite the cases from Pennsylvania, Connecticut, and New Hampshire, with approbation, and advance no principle of constitutional law at variance with them. The argument of the court, by which the language of the section above quoted is made to apply to the general qualification of the voter, and not to the place of voting, is exceedingly subtle and ingenious, and we are not prepared to say it is not sound, but it seems to us quite difficult to make this and the Pennsylvania case stand together, though the opinion attempts it. Construed by the plain and natural rules of construction that should prevail in the interpretation of constitutions, "*where he offers to vote*," and "*in which he claims his vote*," as applied to the subject, mean the same thing. It is not at all necessary for our purpose to undertake the determination of the respective soundness of the two decisions, as neither is sufficiently like our own case, to have any controlling influence. It is quite apparent, however, that the Iowa court entertained great doubt as to the soundness of their own construction, as they go on to prove, by argument, and authority, that it is their duty to uphold the law, unless it is *clearly, palpably, and plainly* inconsistent with the provisions of the constitution. That this becomes their duty, because the constitutionality of the law had been pronounced in favor of by the Legislative and Executive branches of the Government, acting in their official capacities, and upon their official oaths. We are not prepared to question the reasoning upon this point, but if we could regard the question under our constitution, as really of a doubtful character, we cannot shelter ourselves behind, or rest our own judgment upon, the prejudgment of the other co-ordinate branches of the government. From the manner in which our law was passed, it does not appear that any expression of opinion can be gathered from the action of the Legislature or the Executive. The law was to be in force, or not, as the answer of the Judges should be. The most that can be gathered from the passage of the act, as to the opinions of the Legislative and Executive departments, is, that they would favor such a law, if it is constitutional; in this opinion we should doubtless fully concur.

We do not regard these decisions in the several States as having any very direct bearing upon the question before us, except the decision in Connecticut. That one is quite analogous, as the provisions of the Connecticut constitution are so nearly like our own, and are not more restrictive of the power of the Legislature than those of our own State.

Looking to the language of our constitution, the state of things existing at the time of its formation, the early legislation under it, the uniform legislation and usage of the State since, and the various discussions and decisions in other States, we are clearly satisfied that by the fair construction of our constitution, the right of voting for Governor, and other State officers, can only be exercised within the State, in the "freemen's meetings," to be held within the towns on the first Tuesday of September in each year.

We appreciate fully the noble patriotism of our citizens who have voluntarily gone forth to peril their lives in the defence of the constitution and government, and would be the last to deprive them of the exercise of any civil right, but, as was well said by the Pennsylvania court, "While such men fight for the constitution, they do not expect Judges to sap and mine it by judicial construction."

The power of the Legislature to authorize votes to be cast without the State, for Representatives in Congress, and electors of President and Vice President, depends upon entirely different considerations.

It cannot be claimed to be contrary to any provisions of the constitution of this State, for the constitution is entirely silent upon the subject, and the constitution of this State, with substantially the same provisions as to voting as now contained, was established several years prior to the admission of the State into the Federal Union. The law to this extent must therefore be regarded as valid, unless it contravenes some express or implied, provision of the constitution of the United States, or some law of Congress on the subject, coming within the control given them by the constitution. Sec. 2 of Art. 1 of the United States constitution provides—"The house of representatives shall be composed of members chosen



every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."

Sec. 4, of Art. 1, is as follows:—"The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each State by the Legislature thereof, but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators."

These are the only clauses of the constitution bearing upon the election of representatives in Congress. It cannot be claimed that anything is established by these as to time or place of voting. The whole subject is entrusted to the State Legislature, subject to the control of Congress. As we have already seen, if the constitution does not prescribe the time and place, it rests wholly in the discretion of the Legislature to establish them by law.

We are not aware of any act of Congress upon the subject of electing members of Congress, except to require that they should be chosen by districts.

Sec. 1, of Art. 2, provides for the choice of electors, and is as follows:—

"Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the Congress, but no senator, or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States." Under this provision, the appointment of electors has been variously provided for by the State Legislatures. In some States the Legislatures have directly chosen the electors themselves. This mode of election was followed in this State, as we now recollect, down to 1824. In other States they have been chosen by general ticket throughout the whole State, and in others the Legislature have divided the State into election districts, for the choice of electors. All these various modes of election have been regarded as fairly within the power of the Legislatures. The only power given Congress, is that of fixing the time of the election. This power they have exercised.

In 1792 Congress passed an act requiring the choice of electors in each State to be made within thirty four days preceding the first Wednesday in December, and the electors themselves to meet, and cast their votes on that day.

In 1845 an act was passed by Congress requiring the choice of electors to be made in all the States on the Tuesday next following the first Monday in November of the year designated for a presidential election, with power to the State Legislatures to provide for filling any vacancy that may occur. Under this our Legislature have provided that, in case of a vacancy at the meeting of the electors, the residue of the electors may fill it. Upon the principles already alluded to, there would seem to be no ground to question the power of the Legislature to authorize voting for electors, as they have done by this bill. Voting for representatives to Congress, and for electors, has never been understood by our Legislature as affected by the provisions of our constitution. It has frequently happened that congressional elections, and presidential elections have occurred while our Legislature has been in session, and it has been common for the Legislature to provide by special act, to allow members of the Legislature, and others in attendance on the Legislature, voters in such district, to vote at Montpelier, though not within the congressional district, and also to vote for electors. The propriety of such action we have never heard questioned.

In the various cases that have arisen in other States we do not find that the question of the validity of such laws, as applied to voting for electors, and representatives in Congress, has been discussed at all; whether, because it has been regarded, as we regard it, free of doubt, under the constitution of the United States, or that there has yet been no occasion for such discussion, we do not know.

It is proper that we should notice a clerical error in the third section of the act submitted to us. The day of the election of electors, is designated as the first Tuesday of November, The first Tuesday after the first Monday in November, is the day fixed by the act of Congress, which will be the second Tuesday of next November. We notice this that it may be corrected in time. The examination of the subject has been attended with great embarrassment, as we have not had the advantage of argument by counsel, to present either side of the question; and the official engagements of the several members of the court have been such, that it has not been possible for them to be all present together at any time to discuss the subject, and compare views and reasons. We hope, however, to have been able to make our views of the question understood.

We therefore certify to your Excellency, that, in the opinion of the Judges of the Supreme Court, so much of the act in question as authorizes votes to be given for Governor, Lieutenant Governor, and Treasurer, without the State; or at any place, except in a freemen's meeting, holden in some town within the State, is unconstitutional; and that so much of said act as authorizes such voting for Members of Congress and electors, is not contrary to any provision of the constitution of this State or of the United States.

St. Johnsbury, April 1, 1864.

LUKE P. POLAND,	} Judges of the Supreme Court of Vermont.
ASA OWEN ALDIS.	
JOHN FIERPOINT,	
JAMES BARRETT,	
LOYAL C. KELLOGG,	
ASAHEL PECK,	

## STATE OF VERMONT.

BY JOHN GREGORY SMITH, GOVERNOR.

## A P R O C L A M A T I O N .

In accordance with the long established custom, and in unison with the recommendation of the President of the United States, I do hereby appoint THURSDAY, THE 24TH DAY OF NOVEMBER INSTANT, to be observed as a day of PUBLIC THANKSGIVING AND PRAISE TO ALMIGHTY GOD: And I do enjoin upon the people of this State, that on the day thus set apart, they rest from their usual avocations, and assemble in their respective places of worship, to render unto Him their unfeigned thanks for His exalted goodness, and to lay before Him their offerings of grateful praise.

Let us thank Him for the fruitful season, for the abundant harvest, and for the general health with which He has blessed our Commonwealth.

Let us devoutly thank Him for the signal victories that have crowned our arms, and for the new confidence and hope which they have inspired for the speedy return of a permanent peace.

Let us thank Him for His restraining power over the passions of men; that, instead of riot, blood-shed and anarchy, our people have been permitted to exercise the elective franchise in peace and quiet.

Let us praise Him for the hope set before us in the Gospel; that, through the merits and sufferings of JESUS CHRIST our SAVIOUR, we may with confidence look for a glorious resurrection and a blessed immortality.

And while we partake of the cheer and comforts of the social gathering, let us fervently remember, with our prayers and our bounties, the poor, the needy and the afflicted; let us not be unmindful of the brave soldiers in the field and in the hospital; and let us make our united supplication to the God of battles, that He will hasten the day of our deliverance, and restore to us Peace and Union, a Peace permanent and enduring, and a Union made perpetual, because founded and established upon the immutable principles of justice.

*Given under my hand, and the Seal of the State, in Executive Chamber, at Montpelier, this fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-ninth.*

J. GREGORY SMITH.

By His Excellency, the Governor,  
SAMUEL WILLIAMS, Sec'y Civil and Military Affairs.

## STATE OF VERMONT.

BY JOHN GREGORY SMITH, GOVERNOR.

## A P R O C L A M A T I O N .

The return of the spring-time, and the lengthening rays of the sun warming the earth into beauty and life and giving promise of a fruitful harvest, should remind us of our dependence upon Him who ruleth the world and who giveth freely, and withholdeth not from those who seek Him in faith.

In accordance therefore with the custom of our fathers, which commends itself to every Christian heart, and in order that the people of this State may unitedly humble themselves before God and devoutly implore His favor, I do hereby appoint FRIDAY, THE 14TH DAY OF APRIL NEXT, to be publicly observed as a day of HUMILIATION, FASTING AND PRAYER, by the people of this State.

And I do earnestly enjoin upon all good citizens the duty of a strict and sacred observance of the day, that they reverently appear before God in penitential confession of their sins as individuals and as a people, and implore forgiveness through the merits and sufferings of Him who loves us, and hath redeemed us by His blood.

Let us seek His blessing upon the season, that He will make it fruitful, giving us the rain in due time and the genial influences of the sun, that the labor of the husbandman may not go unrewarded, and that the year may be crowned with a rich and abundant harvest.

Let us implore the blessings of health that we may be saved from ravaging disease and wasting sickness.

Let us ask for His blessing upon the widow and the fatherless, that He will comfort them that mourn, and that He will grant the consolations of His spirit to hearts desolated by His afflictive dispensations.

Let us devoutly supplicate Him, that He will give peace to our land, that He will allay the spirit of angry strife and bloodshed, and that He will hasten the day when war shall cease, and when righteousness and truth shall reign in all our borders.

And while we thus in humiliation and prayer, seek His divine favor, let us also render to Him grateful praise for the signal mercy displayed in the triumphs of our arms, and for the glorious prospect of returning peace.

Thus may we render acceptable service to God, and receive abundant spiritual and temporal blessings.

*Given under my hand and the Seal of the State, in Executive Chamber at St. Albans, this thirtieth day of March, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States the eighty-ninth.*

J. GREGORY SMITH.

By His Excellency, the Governor,

SAMUEL WILLIAMS, Sec'y of Civil and Military Affairs.

# MANUAL OF THE LEGISLATURE OF VERMONT FOR THE YEAR 1864.

The "term" of senators and representatives means the term of service in both Houses. As to other officers, "term" means the number of years served by each in such office.

## JUDICIARY, AND CONGRESSIONAL DELEGATION.

<i>United States Officers.</i>	<i>Office.</i>	<i>Where and when born.</i>	<i>Occupation.</i>	<i>Term.</i>
David A. Smalley, Burlington,	District Judge,	Middlebury, April 6, 1809,	attorney	8
George Howe, Brattleboro,	District Att'y,	Vernon, July 4, 1824,	attorney	4
C. C. P. Baldwin, Bradford,	Marshal,	Bradford, Dec. 28, 1812,	farmer	4
B. B. Smalley, Burlington,	Clerk,	Jericho, Nov. 26, 1836,	clerk	4
<i>Supreme Court of Vermont.</i>				
Luke P. Poland, St. Johnsbury,	Chief Justice,	Westford, Nov. 2, 1815,	attorney	17
Aaa O. Aldie, St. Albans,	Ass't "	St. Albans, Sept. 2, 1811,	attorney	8
John Pierpoint, Vergennes,	" "	Litchfield, Ct., Sept. 10, 1806,	attorney	8
James Barrett, Woodstock,	" "	Strafford, May 31, 1814,	attorney	8
Loyal C. Kellogg, Rutland,	" "	Benson, Feb. 13, 1816,	attorney	6
Asahel Peck, Burlington,	" "	Montpelier,	attorney	5
Wheelock G. Veazey, Rutland, Reporter,		Brentwood, N. H., Dec. 6, '35,	attorney	1
<i>Congressional Delegation.</i>				
Solomon Foot, Rutland,	Senator,	Cornwall, Nov. 19, 1802,	attorney	13
Jacob Callamer, Woodstock,	"	Troy, N. Y., 1789,	attorney	10
F. E. Woodbridge, Vergennes, Represen'tive,		Vergennes, Aug. 29, 1819,	attorney	2
Justin S. Morrill, Strafford,	"	Strafford, April 12, 1810,	farmer	10
Portus Baxter, Derby Line,	"	Brownington, Dec. 4, 1806,	merchant	4

## CIVIL GOVERNMENT OF VERMONT.

<i>Executive Officers.</i>	<i>Office.</i>	<i>Where and when born.</i>	<i>Occupation.</i>	<i>Term.</i>
J. Gregory Smith, St. Albans, Governor,		St. Albans, July 23, 1818,	attorney	2
Paul Dillingham, Waterbury, Lt. Governor,		Shutesbury, Ms., Aug. 10, 1799,	attorney	3
John B. Page, Rutland, Treasurer,		Rutland, Feb. 25, 1826,	bank pres.	5
G. W. Bailey, Jr., Montpelier, Sec'y of State,		Elmore, April 6, 1833,	attorney	4
D. G. Thompson, Montpelier, Ass't Sec'y of State,		Montpelier, Feb. 9, 1850,	student	2
Samuel Williams, St. Albans, Sec'y Civil & Mil. Affairs,		Rutland, Jan. 8, 1837,	attorney	4
Dugald Stewart, Middlebury, Aud'r of Acct's,		Middlebury, Sept. 26, 1821,	co. clerk	2
Zebina C. Camp, Montpelier, Serg't-at-Arms,				
Charles Reed, Montpelier, Librarian,		Thetford, Nov. 24, 1814,	attorney	5
C. W. Town, Montpelier, Ass't Librarian,		Montpelier, July 4, 1840,	student	3
G. W. Wing,	"	Plainfield, Oct. 22, 1843,	coll. stud't	1
Aaa R. Camp, Stowe,	Bank Comm'r,	Stowe, May 6, 1825,	merchant	1
G. H. Rice, South Hero,	R. R. Comm'r.			

<i>Executive Officers.</i>	<i>Offs.</i>	<i>Where and when born.</i>	<i>Occupation.</i>	<i>Term.</i>
P. T. Washburn, Woodstock,	Adj't & Insp'r } General.	Lynn, Ms., Sept. 7, 1814,	attorney	4
Perley P. Pitkin, Montpelier,	Q. M. General,	Marshfield, May, 1806,	merchant	4
John S. Marcy, Royalton,	Judge Adv. Gen.	Windsor, March 7, 1799,	attorney	2
E. D. Warner, New Haven,	Comm'r Insane,		physician	1
James A. Follard, Windsor,	Sup't St. Pris'n,	Plymouth, Nov. 19, 1817,	farmer	2
Daniel Stearns, Windsor,	Directors	Reading, July 26, 1807,	merchant	3
Samuel Merriam, Johnson,	of			
Pitt W. Hyde, Castleton,	State Prison,	Sudbury, March 3, 1816.	marble d'ler	2
A. D. Hager, Proctorsville,	Curator of Cab.,	Chester, Nov. 1, 1817,	mechanic	6

## THE SENATE.

<i>Officers.</i>	<i>Rel. &amp; Pol. Pref.</i>	<i>Where and when born.</i>	<i>Occupation.</i>	<i>Tr.</i>
Paul Dillingham, Waterbury, Pres't,	meth u	Shutesbury, Ma., Aug. 10, 1799,	attorney	8
Henry Clark, Poultney, Secretary,	cong u	Middletown, Feb. 10, 1828,	merchant	4
J. P. Lamson, Cabot, Ass't Sec'y,	cong u	Elmore, Feb. 9, 1833,	attorney	1
P. H. White, Coventry, Chaplain,	cong u	Springfield, Oct. 6, 1831,	clergyman	3
<i>Senators.</i>	<i>Address.</i>			
<b>ADDISON COUNTY.</b>				
Earl Cushman, Orwell,	lib u	Middleboro, Ms., May 10, 1797,	physician	2
Lewis Meacham, New Haven,	cong u	Rutland, April 16, 1807,	farmer	4
<b>BENNINGTON COUNTY.</b>				
Lemuel Bottom, Shaftsbury,	bap u	Shaftsbury, Aug. 20, 1800,	farmer	3
J. B. Hollister, Manchester,	cong u	Sandgate, June 17, 1831,	farmer	3
<b>CALEDONIA COUNTY.</b>				
Jonathan D. Abbott, Barnet,	cong u	Barnet, April 9, 1822,	merchant	3
Charles S. Dana, St. John-bury,	cong u	Danville, Nov. 18, 1815,	attorney	3
<b>CHITTENDEN COUNTY.</b>				
Leverett B. Englesby, Burlington,	cong u	Burlington, Feb. 27, 1827,	attorney	2
Amos Hobart, Westford,	cong u	Westford, Nov. 15, 1819,	farmer	3
A. J. Crane, Huntington,	no pl u	Richmond, Dec. 6, 1826,	farmer	3
<b>ESSEX COUNTY.</b>				
L. H. Tabor, Concord,	univ u	Groton, Dec. 3, 1809,	clergyman	4
<b>FRANKLIN COUNTY.</b>				
Norman F. Wood, Bakersfield,	cong u	Fletcher, Nov. 4, 1833,	attorney	1
William S. Rublee, East Berkshire,	epis u	Berkshire, Aug. 17, 1815,	merchant	3
Worthington C. Smith, St. Albans,	cong u	St. Albans, April 19, 1823,		2
<b>GRAND ISLE COUNTY.</b>				
Asahel Allen, North Hero,	cong u	North Hero,	farmer	2
<b>LAMOILLE COUNTY.</b>				
Samuel M. Pennock, Morristown,	univ u	Strafford, April 27, 1821,	merchant	1
<b>ORANGE COUNTY.</b>				
J. B. Hutchinson, West Randolph,	cong u	Braintree, Oct. 8, 1819,	attorney	3
Samuel S. Clement, Corinth,	no pl u	Corinth, May 9, 1809,	farmer	1
<b>ORLEANS COUNTY.</b>				
John H. Kellam, Iraaburgh,	prot u	Iraaburgh, April 1, 1822,	farmer	4
Lemuel Richmond, Derby Line,	none u	Barnard, July 26, 1804,	physician	3
<b>RUTLAND COUNTY.</b>				
Merritt Clark, Poultney,	u	Middletown, Feb. 11, 1803,	banker	5
Nathaniel Fish, West Haven,	prot u	Fairhaven, May 1, 1813,	farmer	4
William T. Nichols, Rutland,	epis u	Clarendon, March 21, 1829,	attorney	4
<b>WASHINGTON COUNTY.</b>				
Charles Reed, Montpelier,	unita u	Thetford, Nov. 24, 1814,	attorney	3
M. P. Wallace, Cabot,	cong u	Berlin, April 27, 1813,	physician	4
Denslow Upham, East Warren,	cong u	Weathersfield, March 20, 1800,	farmer	3
<b>WINDHAM COUNTY.</b>				
Stephen P. Fagg, Wilmington,	cong u	Wilmington, Feb. 20, 1810,	attorney	6
Charles Barrett, Grafton,	cong u	Grafton, Jan. 28, 1830,	farmer	3
<b>WINDSOR COUNTY.</b>				
W. W. Williams, Rochester,	cong u	Walpole, N. H., Dec. 3, 1813,	farmer	2
Clark H. Chapman, Proctorsville,	bap u	Windham, Sept. 10, 1822,	attorney	8
Hugh H. Henry, Chester,	lib u	Chester, Oct. 18, 1814,	farmer	7
<i>Officers.</i>				
G. C. Frye, W. Concord, Door-keeper,	univ u	Concord, June 29, 1831,	merchant	3
E. F. Hitchcock, Pittsford, Ass't do	cong u	Pittsford, June 22, 1843,		1
F. H. Cadwell, Burlington, Messenger,	cong u	New Haven, April 18, 1843,	student	3
O. H. Hicks, do do	epis u	Rutland, June 11, 1847,	student	2
<i>Legislative Reporter.</i>				
C. W. Merrill, Montpelier,	cong u	Montpelier, April 23, 1846,	student	2

## RECAPITULATION OF THE SENATE.

*Occupation.*—Farmers 13; attorneys 8; physicians 3; merchants 3; clergyman 1; banker 1.  
*Utilities.*—Vermont 28; New Hampshire 1; Massachusetts 1.  
 Oldest senator—Earl Cushman, 67. Youngest senator—Norman F. Wood, 31. Average age of senators, 48.45.  
*Religious Preferences.*—Congregationalist 15; Episcopal 2; Baptist 2; Universalist 2; Unitarian 1; Liberal 2; Protestant 2; no preference 3.

## HOUSE OF REPRESENTATIVES.

Officers.	Where and when born.	Occups.	Term.
Abraham B. Gardner, Bennington, Speaker,	Pownal, Sept. 2, 1819,	attorney	9
Jonh H. Flagg, Wilmington, Clerk,	Wilmington, July 11, 1843,	attorney	1
Albert Clarke, Montpelier, Assistant Clerk,	Graaaville, Oct. 13, 1846,	attorney	1
Joseph G. Houghton, Chelsea, " "	Dana, Mass., Sept. 13, 1842,	coll. stud't	1
Nathan B. Smith, Clarendon, " "	Danby, Dec. 3, 1841,	law stud't	1
Moses Burbank, Ludlow, Clerks to make	Campton, N. H., Oct. 2, 1811,	editor	1
M. E. Sprague, Weybridge, up Grand List.	Weybridge, Sept. 14, 1823,	farmer	1
A. L. Cooper, Montpelier, Chaplain,		meth clerg	2
P. Deming, Burlington, Reporter,	Mt. Washington, May 1, 1842,	reporter	4

## ADDISON COUNTY.

Towns.	Representatives.	Rel. & Pol. Ff.	Where and when born.	Occups.	Term.
Addison,	Charles Merrill,	cong u	Addison, Sept. 12, 1834,	farmer	1
Bridport,	Parris Fletcher,	cong u	Woodstock, March 24, 1794,	farmer	3
Bristol,	Noble F. Dunshee,	no pf u	Bristol, April 4, 1833,	miner	2
Cornwall,	Henry Lane,	cong u	Cornwall, Feb. 14, 1834,	farmer	1
Ferrisburgh,	Michael Ball,	meth u	Ferrisburgh, Nov. 12, 1817,	farmer	1
Goshen,	James Carson,	meth u	Ireland, Feb. 22, 1818,	farmer	1
Granville,	Wm. C. Chaffee,	free th'k u	Rochester, Sept. 30, 1821,	farmer	1
Hancock,	None.				
Leicester,	A. S. Barker,	no pf u	Leicester, Jan. 1, 1816,	farmer	2
Lincoln,	George F. Pope,	no pf u	Lincoln, Nov. 10, 1836,	merchant	2
Middlebury,	John W. Stewart,	cong u	Middlebury, Nov. 14 1825,	lawyer	5
Monkton,	C. S. Deane,	meth u	Monkton, Dec. 30, 1812,	farmer	1
New Haven,	Ira Gifford,	cong u	Tunbridge, Sept. 2, 1797,	farmer	1
Orwell,	L. S. Hemmenway,	cong u	Paxton, Ms., Sept. 14, 1802,	farmer	2
Panton,	Emerson Holland,	no pf u	Hinsdale, Ms., May 21, 1830,	farmer	1
Ripton,	Joseph Smith,	fr'nd u	Starksboro, Aug. 26, 1799,	merchant	1
Salisbury,	A. M. Everts,	cong u	Salisbury, July 17, 1833,	farmer	2
Shoreham,	Lewis Treadway,	univ u	Shoreham, Aug. 6, 1809,	farmer	1
Starksboro,	Thomas Morrison,	no pf u	Starksboro, March 28, 1831,	farmer	1
Vergennes,	Wm S Hopkins,	no pf u	Panton, Feb. 28, 1825,	physician	1
Waltham,	Edwin Everts,	lib u	Waltham, Feb. 2, 1817,	farmer	2
Weybridge,	Edwin Lawrence,	meth u	Weybridge, May 24, 1805,	farmer	1
Whiting,	F. G. Wright,	cong u	Shoreham, March 10, 1823,	farmer	2

## BENNINGTON COUNTY.

Arlington,	J. N. B. Thomas,	no pf u	Sandgate, April 28, 1812,	farmer	1
Bennington,	A. B. Gardner,	bap u	Pownal, Sept. 2, 1819,	attorney	5
Dorset,	Welcome Allen,	univ u	Dudley, Ms., Feb. 21, 1811,	iron found.	1
Glastenbury,	John Elwell,	meth o	Shaftsbury, May 1, 1797,	farmer	7
Landgrove,	Ambrose Woodward,	meth u	Landgrove, March 10, 1811,	farmer	1
Manchester,	John C. Roberts,	epis u	Manchester, Aug. 27, 1810,	mechanic	1
Peru,	A. G. Bowker,	meth u	W. Spring'fd, Ms., Nov. 16, '10,	far & clerg	2
Pownal,	W. B. Arnold,	cong u	Pownal, Nov. 20, 1827,	farmer	1
Readsboro,	Apollos Bailey,	univ u	Richmond, Sept. 23, 1813,	farmer	2
Rupert,	William Sherman,	dis Chr u	Rupert, Oct. 21, 1822,	farmer	2
Sandgate,	Walter B. Randall,	lib u	Sandgate, Feb. 22, 1833,	farmer	2
Searsburgh,	Aaron Pike,	univ u	Petersham, Ms., Jan. 17, 1820,	manufac	1
Shaftsbury,	Clark Stone,	no pf o	Shaftsbury, May 6, 1827,	farmer	2
Stamford,	H. L. Smith,	presb o	Stamford, Jan. 13, 1824,	farmer	1
Sunderland,	P. Shuffleton,	meth u	England, Oct. 14, 1829,	ag't manuf co	1
Winhall,	Cephas Williams,	no pf u	Winhall, Jan. 1, 1829,	farmer	2
Woodford,	Obed Eddy.				

## CALEDONIA COUNTY.

Barnet,	Charles A. Sylvester,	no pf u	Waterford, Aug. 21, 1838,	farmer	1
Burke,	C. T. A. Humphrey,	meth u	St. Johnsbury, Jan. 1822,	merchant	1
Danville,	Wm. J. Stanton,	meth o	Danville, Sept 6, 1808,	far & mer	2
Groton,	A. P. Renfrew,	meth u	Groton, April 6, 1829,	merchant	2
Hadwick,	D. W. Aiken,	indep u	Dracut, Ms., March 23, 1799,	merchant	7
Kirby,	E. W. Church,	epis u	Kirby, Feb. 1, 1820,	farmer	4
Lyndon,	M. C. Henderson,	f w bap u	Meriden, N. H., Aug. 3, 1819,	clergyman	3
Newark,	George E. Powers,	meth o	Bradford, Feb. 4, 1824,	farmer	1
Peacham,	Jacob Way,	cong u	Barnet, Oct., 1801,	farmer	2
Ryeate,	George Cowles,	cong u	Peacham, Sept. 27, 1809,	merchant	3
Shelfield,	John P. Ingalls,	f w bap u	Wheelock, June 25, 1805,	farmer	2
St. Johnsbury,	Gates B. Bullard,	cong u	Plainfield, N. H., Feb. 6, 1829,	physician	7
Sutton,	Joseph Bartlett,	meth u	Sutton, March 10, 1819,	farmer	2
Walden,	Harvey Burbank,	no pf u	Walden, March 2, 1824,	farmer	1
Waterford,	J. W. Hastings,	univ u	Waterford, Oct. 21, 1815,	farmer	2
Wheelock,	Osborn Ward,	bap u	Danville, March 24, 1810,	manufac	2

## CHITTENDEN COUNTY.

Towns.	Representatives.	Rel. & Pol. Pf.	Where and when born.	Occupa.	Tn.
Bolton,	Harmon H. Hall,	bap u	Jericho, March 21, 1830,	farmer	1
Burlington,	Lawrence Barnes,	bap u	Hillsboro, N. H. June 8, 1815,	lumb merc	1
Charlotte,	H. H. Nowell,	cong u	Charlotte, Jan. 12, 1817,	farmer	2
Colchester,	A. E. Brownell,	meth u	Colchester, Jan. 12, 1817,	farmer	2
Essex,	D. H. Macomber,	cong u	Chesterfield, Ms., July 25, 1828,	merchant	2
Hinesburgh,	M. H. Baldwin,	bap u	Waterville, Sept. 16, 1829,	farmer	1
Huntington,	Henry Brewster,	no pf u	Huntington, Oct. 16, 1824,	farmer	1
Jericho,	L. L. Lane,	cong u	Jericho, Oct. 1, 1818,	farmer	1
Milton,	H. G. Boardman,	no pf u	Fourth Hero, March 12, 1832,	lumb deal	1
Richmond,	Safford Bronson,	cong u	Richmond, Jan. 30, 1818,	farmer	1
Shelburne,	John L. Barstow,	epis u	Shelburne, Feb. 21, 1832,	farmer	1
St. George,	Norman Isham,	no pf u	St. George, May 4, 1824,	farmer	1
Underhill,	Martin Wires,	cong u	Cambridge, July 13, 1806,	farmer	5
Westford,	Alney Stone,	univ u	Westford, April 11, 1820,	farmer	2
Williston,	D. B. Fay,	univ u	Richmond, July 17, 1817,	farmer	

## ESSEX COUNTY.

Bloomfield,	Raymond Fuller,	meth o	Columbia, N. H., Feb. 18, 1811,	farmer	1
Brighton,	W. M. Currier,	bap u	Brighton, Dec. 18, 1832,	farmer	1
Brunswick,	D. H. Shoff,	meth o	Brunswick, Jan. 17, 1812,	farmer	2
Canaan,	S. H. Parsons,	no pf u	Rutland, Sept. 21, 1820,	farmer	1
Concord,	Levi Howe,	univ u	Lunenburg, June 18, 1817,	lumb merc	2
East Haven,	O. T. Walter,	no pf u	East Haven, July 30, 1837,	farmer	1
Granby,	Philander C. Ford,	meth u	Kirby, May 8, 1841,	farmer	1
Guildhall,	Wm. H. Meacham,	cong u	Guildhall, Nov. 9, 1826,	farmer	2
Lemington,	William H. Sims,	meth u	Lemington, Oct. 20, 1822,	farmer	1
Lunenburg,	William Sewall,	cong u	Lunenburg, Dec. 14, 1827,	clergyman	2
Maidstone,	Charles Stevens,	univ o	Maidstone, May 22, 1809,	farmer	5
Victory,	Isaac R. Houston,	meth u	Lyman, N. H., July 9, 1804,	farmer	4

## FRANKLIN COUNTY.

Bakersfield,	William C. Wilson,	meth u	Cambridge, July 23, 1812,	attorney	4
Berkshire,	Geo. C. Ellsworth,	no pf u	Berkshire, April 13, 1830,	attorney	1
Enosburgh,	W. R. Hutchinson,	cong u	Grand Isle, Dec. 16, 1824,	physician	1
Fairfax,	Anson Soule,	no pf u	Fairfax, Sept. 4, 1801,	attorney	4
Fairfield,	A. G. Soule,	epis u	Fairfield, Aug. 11, 1811,	merchant	4
Fletcher,	A. E. Parker,	meth u	Hubbardton, Feb. 26, 1802,	farmer	2
Franklin,	John Colcord,	meth u	Franklin, April 18, 1822,	farmer	2
Georgia,	Hiram H. Hale,	bap u	Georgia, March 26, 1807,	farmer	2
Highgate,	Warren Robinson,	univ u	Swanton, Jan. 13, 1805,	farmer	3
Montgomery,	Columbus Greene,	2d adv u	Brighton, Ms. Feb. 13, 1812,	merchant	2
Richford,	Orville J. Smith,	no pf u	Bakersfield, Feb. 23, 1817,	tanner	1
Sheldon,	John F. Draper,	univ u	Sheldon, Dec. 3, 1827,	farmer	1
St. Albans,	Bradley Barlow,	no pf u	Fairfield, May 12, 1813,	cashier	4
Swanton,	Dennison Dorman,	cong u	Georgia, April 8, 1818,	farmer	2

## GRAND ISLE COUNTY.

Alburgh,	H. P. Kinsley,	meth u	Alburgh, April 16, 1825,	farmer	2
Grand Isle,	J. McGowan,	univ u	Hoosac, N. Y., Nov. 6, 1815,	farmer	1
Isle LaMott,	S. H. Pike,	meth u	Isle LaMott, Sept. 13, 1816,	farmer	2
North Hero,	Joel Town,	meth u	Barnardstown, Ms. Aug. 24, '96,	farmer	2
South Hero,	O. G. Wheeler,	cong u	Charlotte, Aug. 15, 1817,	clergyman	4

## LAMOILLE COUNTY.

Belvidere,	A. J. Chaffee,	univ o	Belvidere, Aug. 22, 1829,	farmer	1
Cambridge,	Junius Wires,	meth u	Cambridge, April 14, 1810,	farmer	1
Eden,	James Brown,	univ u	Morristown, Sept. 15, 1829,	starch m'f	1
Elmore,	Charles S. Parker,	meth u	Barre, Nov. 2, 1820,	farmer	2
Hydepark,	R. S. Page,	cong u	Hydepark, May 21, 1813,	farmer	1
Johnston,	Samuel Belding,	meth u	Swansey, N. H., Oct. 12, 1807,	merchant	1
Morristown,	E. E. Brigham,	no pf u	Morristown, July 26, 1822,	farmer	1
Stowe,	Joseph J. Boynton,	cong u	Stowe, June 9, 1834,	farmer	1
Waterville,	E. H. Shattuck,	no pf u	Cambridge, Feb. 8, 1829,	merchant	1
Wolcott,	Ira D. R. Collins,	no pf u	Corinth, Aug. 20, 1831,	farmer	1

## ORANGE COUNTY.

Towns.	Representatives.	Rel. & Pol. Pf.	Where and when born.	Occupa.	Tw.
Bradford,	Hubbard Wright,	no pf u	Lyman, N. H., Sept. 8, 1818,	farmer	7
Braintree,	J. A. Spear, Rel stud't	nature u	Braintree, Sept. 1, 1811,	farmer	1
Brookfield,	Ephraim F. Claflin,	2d adv u	Brookfield, Sept. 27, 1817,	farmer	2
Chelsea,	William Hebard,	epis u	Windham, Ct., Nov. 29, 1804,	attorney	7
Corinth,	G. N. Winchester,	no pf o	Westmoreland, N. H., Oct. 20, '12,	farmer	2
Fairlee,	William H. Kibbey,	cong u	Fairlee, Nov. 16, 1825,	farmer	1
Newbury,	William R. Shedd,	cong u	Wells River, Aug. 23, 1816,	farmer	2
Orange,	E. C. Camp,	univ u	Orange, March 8, 1834,	farmer	1
Randolph,	L. L. Wheeler,	meth u	Randolph, May 15, 1826	farmer	2
Stratford,	Harry Huntington,	univ u	Washington, April 2, 1819,	farmer	1
Thetford,	S. M. Gleason,	meth u	Thetford June 28, 1834,	lawyer	1
Topsham,	William T. George,	ref'd pr u	Topsham, June 9, 1818,	farmer	1
Tunbridge,	J. M. Whitney,	no pf u	Tunbridge, Nov. 4, 1820,	mechanic	1
Vershire,	T. A. Chase,	lib o	Leumington, Ms.,	miner	1
Washington,	Heman A. White,	univ u	Washington, Sept. 21, 1817,	attorney	4
West Fairlee,	Wm. H. Kimball,	lib o	West Fairlee, March 9, 1810,	hotel keep	1
Williamst'wn,	John Lynde,	cong u	Williamstown, Aug. 6, 1810,	farmer	5

## ORLEANS COUNTY.

Albany,	Byran Moore,	meth u	Plainfield, N. H., Nov. 29, 1830,	farmer	1
Barton,	H. P. Cushing,	meth u	Burke, June 10, 1816,	clergyman	1
Brownington,	Isaac C. Smith,	meth u	Brownington, Sept. 30, 1812,	farmer	4
Charleston,	Daniel Webster,	cong u	Stanstead, C. E., Sept. 5, 1805,	merchant	1
Coventry,	Ira Boynton,	cong u	Coventry, Dec. 13, 1810,	farmer	1
Craftsbury,	J. C. Merrill,	meth u	Corinth, April, 3, 1807,	farmer	4
Derby,	John H. Skinner,	meth u	Grantham, N. H., Aug. 26, '07,	mech & far	1
Glover,	Duron Whittlesey,	cong u	Plainfield, Jan. 5, 1813,	merchant	1
Greensboro,	John M. Smith,	presb u	Scotland, Nov. 10, 1816,	farmer	1
Holland,	George A. Hinman,	cong u	Holland, Nov. 29, 1817,	physician	3
Irasburgh,	Silas G. Bean,	no pf u	Sutton, Nov. 18, 1820,	dep sheriff	2
Jay,	David Johnson,	meth u	Ludlow, May 5, 1807,	farmer	2
Lowell,	B. F. Paine,	no pf u	Lowell, Oct. 29, 1828	merchant	2
Morgan,	Byram Bartlett,	meth u	Morgan, Sept. 22, 1808,	farmer	1
Newport,	Ira A. Adams,	bap u	Newport, March 7, 1824,	merchant	2
Salem,	Edson H. Lathie,	univ u	Salem, Feb. 13, 1827,	farmer	1
Troy,	H. C. Wilson,	meth u	Rouses' Point, N. Y., June 8, '26,	attorney	2
Westfield,	D. H. Buck,	univ u	Westford, April 9, 1827,	farmer	1
Westmore,	I. D. Bemis,	no pf u	Lyndon, Sept. 13, 1841,	clerk hotel	1

## RUTLAND COUNTY.

Benson,	Daniel Crofoot,	cong u	Granville, N. Y., Dec. 14, 1830,	farmer	1
Brandon,	G. W. Parmenter,	cong u	Brandon, Aug. 22, 1819,	far & m'f	2
Castleton,	Pitt W. Hyde,	epis u	Sudbury, March 3, 1816,	marble deal	3
Chittenden,	Lewis I. Winslow,	meth u	Norwich, Nov. 9, 1829,	farmer	1
Clarendon,	Linsey Rounds, Jr.,	lib u	Clarendon, Aug. 22, 1818,	farmer	3
Danby,	Hiram Fisk,	fr think u	Danby, Jan. 15, 1806,	farmer	1
Fairhaven,	Carroll Reed,	cong u	Morish, N. Y., Dec. 13, 1823,	merchant	2
Hubbardton,	B. F. Holmes,	cong u	Hubbardton, Oct. 25, 1836,	farmer	1
Ira,	Willard Ross,	bap u	Shrewsbury, June 15, 1815,	farmer	2
Mendon,	J. C. Thornton,	fr think u	Rutland, July 25, 1827,	farmer	1
Middletown,	Harvey Spalding,	cong u	Middletown, April 9, 1810,	farmer	1
Mount Holly,	Alfred Crowley,	bap u	Mount Holly, Nov. 10, 1814,	farmer	1
Mount Tabor,	Luther P. Howe,	fr think u	Ludlow, Jan. 6, 1821,	farmer	4
Pawlet,	Ervin Pratt,	cong u	Pawlet, Nov. 30, 1807,	farmer	2
Pittsfield,	R. F. Wing,	no pf u	Rochester, May 29, 1828,	farmer	1
Pittsford,	J. C. Wheaton,	cong u	Pittsford, Oct. 16, 1810,	farmer	1
Poultney,	Charles A. Rann,	cong u	Poultney, May 23, 1823,	farmer	2
Rutland,	Seneca M. Dorr,	meth u	Chatham, N. Y., Aug. 15, 1821,	marble deal	2
Sherburne,	Joseph H. Spofford,	no pf u	Peterboro, N. H., Mar. 13, 1814,	clo pin m'f	1
Shrewsbury,	H. C. Gleason,	univ u	Shrewsbury, May 21, 1825,	farmer	2
Sudbury,	James M. Ketchum,	epis o	Sudbury, Jan. 17, 1823,	farmer	2
Tinmouth,	Cyrus Crambo,	cong u	Tinmouth, March 2, 1828,	farmer	1
Wallingford,	D. E. Nicholson,	hard shell u	Tinmouth, June 7, 1813,	lawyer	2
Wells,	James H. Parks,	epis u	Wells, Sept. 8, 1832,	farmer	1
West Haven,	Samuel Adams,	bap u	West Haven, June 3, 1818,	farmer	1



## WASHINGTON COUNTY.

Towns.	Representatives.	Rel. & Pol. Pf.	Where and when born.	Occupa.	Tm.
Barre,	None.				
Berlin,	Josiah Benjamin,	cong u	Berlin, July 6, 1803,	farmer	1
Cabot,	Edwin Fisher,	cong u	Cabot June 15, 1825,	farmer	2
Calais,	A. M. Foster,	univ u	Calais, Jan 30, 1830,	farmer	1
Duxbury,	Edwin C. Crossett,	cong u	Duxbury, May 10, 1817,	farmer	2
E. Montpelier,	T. C. Kelton,	univ u	Montpelier, May 11, 1817,	farmer	2
Fayston,	George O. Boyce,	meth u	Fayston, Aug. 15 1834	farmer	1
Marshfield,	C. W. H. Dwinell,	no pf u	Marshfield, Feb. 24, 1823,	farmer	2
Middlesex,	C. C. Putnam,	meth u	Middlesex, Feb. 9, 1809,	lumber m'fl	
Montpelier,	Whitman G. Ferrin,	cong u	Croydon, July 13, 1819,	lawyer	3
Moretown,	George Bulkley,	univ o	Berlin, Sept. 11, 1815,	mechanic	1
Northfield,	Samuel Keith,	f w bap u	Randolph, July 21, 1821.	physician	1
Plainfield,	Willard S. Martin,	univ u	Marshfield, Jan. 20, 1827,	farmer	1
Roxbury,	Edmund Pope,	univ u	Northfield, Sept. 24, 1810,	farmer	2
Waitsfield,	David M. Phelps,	cong u	Waitsfield, Oct. 10, 1824,	farmer	1
Warren,	John Dolph,	w meth u	Moriah, N. Y., March 9, 1829,	clergyman	2
Waterbury,	William W. Wells,	cong u	Waterbury, Oct. 28, 1805,	farmer	3
Woodbury,	A. W. Nelson,	no pf o	Hardwick, Aug. 3, 1826,	merchant	2
Worcester,	J. E. Macomber,	univ o	Montpelier, July 3, 1834,	physician	1

## WINDHAM COUNTY.

Athens,	Andrew A. Wyman,	meth u	Rockingham, March 12, 1830,	farmer	1
Brattleboro,	S. M. Waite,	cong u	Jamaica, Oct. 8, 1825,	bank cash	1
Brookline,	C. W. Stebbins,	bap u	Brookline, Dec. 24, 1819,	farmer	2
Dover,	William H. Jones,	meth u	Dover, Sept. 9, 1807,	merchant	5
Dummerston,	Leroy Wilder,				
Grafton,	Francis Daniels,	cong u	Plainfield, N. H., April 5, 1809,	farmer	4
Guilford,	Samuel L. Hunt,	bap u	Oakham, Ms., May 28, 1810,	farmer	5
Halifax,	A. H. Tucker,	bap u	Halifax, Jan. 3, 1822,	manufact'r	3
Jamaica,	Elijah M. Torrey,	cong u	Stratton, Jan. 12, 1828,	farmer	3
Londonderry,	Alanson Whitman,	bap u	Londonderry, April 19, 1805,	millier	2
Marlboro,	Simeon Adams,	cong u	Marlboro, March 24, 1803,	farmer	2
Newfane,	Austin J. Morse,	cong u	Newfane, Nov. 11, 1812,	farmer	2
Putney,	John Kimball,	cong u	Haverhill, N. H., Sept. 30, 1798,	farmer	6
Rockingham,	Daniel Campbell,	u			
Somerset,	Albert Blanchard,	meth u	Hinsdale, N. H., Dec. 7 1831,	farmer	1
Stratton,	Jonas H. Smith,	bap u	Holden, Ms., May 13, 1805,	farmer	1
Townshend,	O. S. Howard,	bap u	Townshend, Jan. 3, 1816,	farmer	2
Vernon,	Lorenzo Brown,	cong u	Heath, Ms., Aug. 19, 1807,	farmer	1
Wardsboro,	A. J. Dexter,	no pf u	Wardsboro, April 27, 1818,	merchant	3
Westminster,	L. F. Ward,	u	Wardsboro, Nov. 17, 1824,	teacher	1
Whitingham,	Waters Gillett,	univ u	Wilmington, Dec. 7, 1802,	physician	5
Wilmington,	James M. Tyler,	cong u	Wilmington, April 27, 1835,	attorney	2
Windham,	Stephen Harris,	cong u	Fitzwilliam, N. H., Jan. 27, '30,	clergyman	1

## WINDSOR COUNTY.

Andover,	George W. Stickney,	frthink u	New Ipswich, N. H., Oct 25, '04,	farmer	5
Baltimore,	George Davis,				
Barnard,	Paul D. Dean,	univ o	Barnard, Jan. 4, 1816,	farmer	5
Bethel,	F. W. Anderson,	cong u	Stafford, Ct., Sept. 26, 1832,	cashier	2
Bridgewater,	G. B. Carpenter,	no pf u	Plymouth, Jan. 17, 1827,	hotel keep	2
Cavendish,	John F. Deane,	no pf u	Weathersfield, June 29, 1816,	attorney	10
Chester,	William Rounds,	lib u	Chester, July 13, 1825,	attorney	4
Hartford,	A. G. Dewey,	no pf u	Hartford, Dec. 15 1805,	manufact	4
Hartland,	John Colby,	cong u	Barre, Sept. 17, 1804,	farmer	12
Ludlow,	H. W. Albee,	cong u	Orange, Ms., Nov. 8, 1806,	mechanic	2
Norwich,	A. G. Pease,	cong u	Canaan, Conn., Feb. 23, 1811,	clergyman	1
Plymouth,	A. B. Martin,	meth u	Chelsea, Nov. 11, 1820,	farmer	2
Pomfret,	Harvey N. Bruce,	univ fr	Pomfret, June 29, 1836,	farmer	2
Reading,	Merritt E. Goddard,	indep u	Reading, Feb. 11, 1834,	farmer	2
Rochester,	Wm. M. Huntington,	epis	Rochester, Oct. 21, 1819,	physician	2
Royalton,	John S. Marcy,	cong u	Windsor, March 7, 1799,	attorney	4
Sharon,	A. B. Mosher,	cong u	Sharon, Jan. 29, 1817,	farmer	1
Springfield,	C. A. Forbush,	cong u	Reading, Jan. 8, 1823,	merchant	1
Stockbridge,	J. B. Rogers,	cong u	Stockbridge, Aug. 23, 1829,	farmer	1
Weathersfield,	Hyren Henry,	cong u	Weathersfield, Nov. 9, 1809,	manufact	3

<i>Towns.</i>	<i>Representatives.</i>	<i>Rel. &amp; Pol. Pf.</i>	<i>Where and when born.</i>	<i>Occup.</i>	<i>Tn.</i>
Weston,	Lucius A. Gould,	no pf u	Jeffrey, N. H., Aug. 10, 1821,	farmer	1
W. Windsor,	M. F. Morrison,	univ u	West. Windsor, March 2, 1825,	farmer	1
Windsor,	Stephen G. Abbott,	bap u	Bridgewater, Ms., Nov. 9, 1819,	clergyman	2
Woodstock,	Lewis Pratt,	meth u	Woodstock, Jan. 17, 1815,	book-seller	1

*Officers of the House.*

Jonh Barden, Wells,	Door-Keeper,	Savoy, Ms., Jan. 14, 1807,	farmer	2
Levi H. Allen, Troy, Assistant	"	Richford, June 2, 1821,	farmer	1
John K. L. rd, Hardwick,	Messenger,	Cincinnati, Ohio, Oct. 21, 1848,	coll. stud't	2
John T. Abbott, Windsor,	"	Antrim, N. H., April 28, 1850,	student	1
John V. Brooks, Montpelier,	"	East Randolph, June 23, 1849,	student	1
George Lynde, Williamstown,	"	Williamstown, Feb. 3, 1848,	farmer	1

## RECAPITULATION OF THE HOUSE.

*Occupation.*—Farmers 148; merchants 22; attorneys 17; clergymen 10; manufacturers 9; physicians 8; mechanics 5; lumber dealers 4; cashiers 3; hotel keepers 2; marble dealers 2; college students 2; students 2; no business 2; law student 1; agent for manufacturer 1; book-seller 1; editor 1; iron founder 1; hotel clerk 1; miners 2; miller 1; deputy sheriff 1; tanner 1; teacher 1.

*Religious preference.*—Congregationalist 64; Methodist 50; no preference 38; Universalist 28; Baptist 22; Episcopalian 8; Liberal 6; Free Thinker 5; Presbyterian 3; Independent 2; Second Advent 2; Quaker 1; Religious Student of Nature 1; Disciple of Christ 1.

*Nativity.*—Vermont 192; New Hampshire 18; Massachusetts 16; New York 7; Connecticut 3; Ohio 1; Scotland 1; Ireland 1; England 1; Canada East 1.

Oldest member—Paris Fletcher, Bridport, 70 years. Youngest member—I. D. Bemis, Westmore, 23 years.

Union—212. Opposition—19.

THE  
JOURNAL OF THE SENATE  
OF THE  
STATE OF VERMONT,  
SPECIAL SESSION,  
1865.

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1865.



# JOURNAL OF THE SENATE.

SPECIAL SESSION, 1865.

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Agreeably to the proclamation of his Excellency, the Governor, the Senate of the State of Vermont convened at the State House, at Montpelier, on the ninth day of March, in the year of our Lord one thousand eight hundred and sixty-five, at ten o'clock in the forenoon.

At ten o'clock in the forenoon the Senate was called to order by his Honor the President, Paul Dillingham.

Prayer by the Chaplain, Rev. Pliny H. White.

The Secretary read the proclamation of his Excellency, the Governor, convening the General Assembly, as follows :

STATE OF VERMONT.

BY THE GOVERNOR.

## A PROCLAMATION.

WHEREAS, the Congress of the United States have passed a resolution submitting to the legislatures of the several states a proposition to amend the constitution of the United States, which when ratified by three-fourths of the said legislatures shall be valid to all intents and purposes as a part of the said constitution, which proposed amendment is as follows :

"SEC. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party has been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

"SEC. 2. Congress shall have power to enforce this article by appropriate legislation."

AND WHEREAS, the occasion, while it is one of profound re-joicing to the people of this State, as the consummation of their long cherished hope and desire, the harbinger of a glorious emancipation to a race, and of regeneration to a nation, is also one of sufficient magnitude and importance to justify a special convocation of the General Assembly of the State, that Vermont may early and promptly set her seal of ratification to the amendment, and contribute, so far as her voice and influence may do, towards incorporating it into and making it a part of the organic law of the land :

Now, therefore, I, JOHN GREGORY SMITH, Governor of Vermont, by virtue of the authority vested in me by the constitution, do hereby issue this my proclamation, convening the General Assembly in Special Session. And I do hereby summon the members of the Senate and House of Representatives to meet in their respective chambers at Montpelier, together with the officers of the two houses, on Thursday, the ninth day of March, A. D. 1865, at ten o'clock in the forenoon, for the purpose of considering and acting upon the proposed constitutional amendment.

*Given under my hand and the Seal of the State, in Executive Chamber, at St. Albans, this twenty-seventh day*  
 [L. S.] *of February, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States the eighty-ninth.*

J. GREGORY SMITH.

By the Governor,

SAMUEL WILLIAMS,

*Secretary of Civil and Military Affairs.*

A true copy.

SAMUEL WILLIAMS,

*Secretary of Civil and Military Affairs.*

Whereupon the roll of the Senate was called by the Secretary, and the following senators answered to their names, to wit :

Addison County .....	EARL CUSHMAN, LEWIS MEACHAM.
Bennington County.....	LEMUEL BOTTUM, J. BURTON HOLLISTER.
Caledonia County.....	J. D. ABBOTT.
Chittenden County.....	LEVERETT B. ENGLISBY, AMOS HOBART.
Essex County.....	L. H. TABOR.
Franklin County.....	WORTHINGTON C. SMITH, WILLIAM S. RUBLEE.

Grand Isle County.....	ASAHEL ALLEN.
Lamoille County.....	SAMUEL M. PENNOCK.
Orange County .....	JOHN B. HUTCHINSON, SAMUEL C. CLEMENT.
Orleans County.....	JOHN H. KELLAM, LEMUEL RICHMOND.
Rutland County .....	MERRITT CLARK, NATHANIEL FISH.
Washington County.....	CHARLES REED, M. P. WALLACE, DENSLOW UPHAM.
Windham County.....	STEPHEN P. FLAGG, CHARLES BARRETT.
Windsor County.....	WENDELL W. WILLIAMS, CLARK H. CHAPMAN, HUGH H. HENRY.

Mr. Chapman introduced the following resolution :

*Resolved*, That a committee of two senators be appointed to wait upon his Excellency, the Governor, and inform him that a quorum of the Senate has now assembled, agreeably to his proclamation, and are ready to proceed with the business of the session ;

Which was read and adopted.

The President appointed as the committee to wait upon the Governor,

Senator Chapman,  
" Rublee.

Mr. Abbott submitted the following resolution, which was read and adopted :

*Resolved*, That the Secretary of the Senate be directed to inform the House of Representatives that a quorum of the Senate have assembled, and are ready to proceed with the business of the session.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed by the House to inform the Senate that a quorum of the House has assembled, and that the House are now ready to proceed with the business of the session.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to transmit to the Senate a special message to the General Assembly.

The following message was then read by the Secretary :

*Gentlemen of the Senate*

*and House of Representatives :*

I herewith transmit for your consideration and action, the resolution of Congress proposing an amendment of the constitution of the United States, and submitting to the legislatures of the several states the question of its ratification. The assent of three-fourths of the states must be given before it can become a part of the organic law. Seventeen of the required number have already set their seals to the ratification.

The magnitude of the measure, and its influence upon the great questions which now absorb the attention of the government, and which increase in importance with the waning prospects of the rebellion, render an early and prompt ratification of the amendment the surest means of strengthening the government, and has justified to my own mind the expediency of a special convocation of the legislature at this time.

It is not necessary that I should urge the measure upon your attention.

Ever earnest and uniform in her adherence to the great principles of constitutional liberty, uncompromising in her opposition to slavery, the persistent advocate of emancipation, early in the field and foremost in the fight in support of the government, Vermont has written her history in characters too vivid and clear to admit of a doubt as to her action on a question so vital as this.

I would, therefore, recommend the prompt action of the two houses in ratifying the proposed amendment, with a view to an immediate adjournment, that as little expense as possible may be imposed upon the State.

J. GREGORY SMITH.

EXECUTIVE CHAMBER, }  
Montpelier, March 9, 1865. }

The following certificate of Hon. W. H. Seward, Secretary of State of the United States, and the resolution of the thirty-eighth Congress of the United States, accompanied his Excellency's communication :

## UNITED STATES OF AMERICA.

DEPARTMENT OF STATE.

*To all to whom these presents shall come, Greeting :*

I CERTIFY, that annexed is a true copy of a joint resolution of Congress, entitled " A resolution submitting to the legislatures " of the several states a proposition to amend the constitution of " the United States " ; the original of which is on file in this Department.



IN TESTIMONY WHEREOF, I, WILLIAM H. SEWARD, Secretary of State of the United States, have hereunto subscribed my name, and caused the seal of the Department of State to be affixed.

*Done at the city of Washington, this second day of February, in the year of our Lord one thousand eight*

[L. S.] *hundred and sixty-five, and of the Independence of the United States of America the eighty-ninth.*

WILLIAM H. SEWARD.

A RESOLUTION SUBMITTING TO THE LEGISLATURES OF THE SEVERAL STATES A PROPOSITION TO AMEND THE CONSTITUTION OF THE UNITED STATES.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both houses concurring,)* That the following article be proposed to the legislatures of the several states as an amendment to the constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid to all intents and purposes, as a part of said constitution, namely:

#### ARTICLE XIII.

SEC. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

Approved, February 1, 1865.

Mr. Englesby introduced the following resolution, which was read and adopted:

*Resolved*, That the message of the Governor be referred to a select committee, consisting of five senators, to be appointed by the President, to report to the Senate such action thereon as they shall judge proper.

The President appointed as the select committee, under the resolution,

Senator Englesby of Chittenden,

“ Smith of Franklin,

“ Henry of Windsor,

“ Richmond of Orleans,

“ Hutchinson of Orange.

On motion of Senator Englesby, leave was granted to the select committee on the Governor's message to sit during the session of the Senate.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed by the House to inform the Senate that the House have adopted on their part a joint resolution adopting the joint rules and the joint standing committees of last session, as the joint rules and joint standing committees of this session,

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

*Resolved by the Senate and House of Representatives,* That the joint rules and joint standing committees of the last session be adopted as the joint rules and joint standing committees of the present session ;

Which was read and adopted on the part of the Senate.

On the motion of Mr. Chapman, the rules of the Senate for the October session, 1864, were adopted as the rules of this special session.

Mr. Chapman introduced the following joint resolution :

*Resolved by the Senate and House of Representatives,* That in making up the debentures of the General Assembly for this special session, the Secretary of the Senate, and the Committee on Mileage and Debentures of the House, be and they are hereby instructed so to compute the mileage of the members of the two houses as to cover only their actual expenses ; said computation to be made by allowing the same amount for return as has been paid in coming to the Capital to attend the session under the proclamation of his Excellency, the Governor, and that the Secretaries of the Senate, and the Clerks of the House, be allowed and paid the same *per diem* and mileage as are paid members, in addition to their annual salaries already provided by law.

Mr. Cushman moved to amend by adding as a proviso "that actual expenses of the members be paid," which was disagreed to.

The question recurring on the adoption of the original resolution, it was lost—yeas 3, nays 19.

Mr. Chapman having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Clark,

Chapman,

Pennock—3.

Those senators who voted in the negative are Messrs.

Abbott,

Fish,

Rublee,

Allen,

Henry,

Reed,

Barrett,

Hobart,

Tabor,

Bottum,

Hollister,

Upham,

Cushman,

Kellam,

Wallace,

Clement,

Meacham,

Williams—19.

Flagg,

So the resolution was lost.

A message was received from the House of Representatives by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted the House rules and House standing committees of last session, as the rules and standing committees of this session.

Agreeably to a vote of the House providing for the appointment of a special committee, to consist of one member from each county, to take into consideration the subject matter contained in the Governor's message, and report by joint resolution, the Speaker has appointed the following gentlemen, to wit :

Rutland County . . . . .	Mr. Dorr of Rutland,
Addison County . . . . .	" Stewart of Middlebury,
Bennington County . . . . .	" Thomas of Arlington,
Caledonia County . . . . .	" Bullard of St. Johnsbury,
Chittenden County . . . . .	" Barstow of Shelburne,
Essex County . . . . .	" Sewell of Lunenburg,
Franklin County . . . . .	" Wilson of Bakersfield,
Grand Isle County . . . . .	" Wheeler of South Hero,
Lamoille County . . . . .	" Collins of Wolcott,
Orange County . . . . .	" Hebard of Chelsea,
Orleans County . . . . .	" Cushing of Barton,
Washington County . . . . .	" Ferrin of Montpelier,
Windham County . . . . .	" Waite of Brattleboro,
Windsor County . . . . .	" Colby of Hartland.

Mr. Clark introduced a bill entitled

S. 1. An act providing for change of venue in certain cases ;

Which was read the first and second time, and referred to the Committee on the Judiciary.

On the motion of Mr. Englesby, the Senate adjourned.

## AFTERNOON.

Mr. Englesby, from the select committee on the Governor's message, presented the following report :

*To the Honorable Senate now in session :*

Your committee, to whom was referred the message of his Excellency, the Governor, would respectfully report that they have

had the subject matter thereof under consideration, and would recommend to the Senate, as suitable action thereon, the passage of the accompanying act.

LEVERETT B. ENGBESBY,  
 WORTHINGTON C. SMITH,  
 HUGH H. HENRY,  
 LEMUEL RICHMOND,  
 JOHN B. HUTCHINSON.

Senate bill entitled

S. 2. An act declaring the assent of this State to a certain article of amendment to the constitution of the United States.

*It is hereby enacted by the General Assembly of the State of Vermont :*

SEC. 1. That the amendment to the constitution of the United States, providing that neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction, proposed by the thirty-eighth Congress of the United States at the second session of that body, begun and holden at the city of Washington, in the District of Columbia, on the first Monday of December, one thousand eight hundred and sixty-four, and approved February first, one thousand eight hundred and sixty-five, in the words following, viz :

*"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both houses concurring,) That the following be proposed to the legislatures of the several states as an amendment to the constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid to all intents and purposes as a part of the said constitution, namely :*

### **"ARTICLE XIII.**

"SEC. I. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the parties shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

"SEC. II. Congress shall have power to enforce this article by appropriate legislation";

Be and the same is hereby ratified.

SEC. 2. This act shall take effect from its passage.

Which was read the first and second time, and ordered to be engrossed and read the third time.

The bill having been duly engrossed was read the third time, and the question being, Shall the bill pass? Senator Henry demanded the yeas and nays. The senators, rising in their seats, cast their votes as follows :

Those senators who voted in the affirmative are Messrs.

Abbott,  
Allen,  
Barrett,  
Botum,  
Clark,  
Clement,  
Chapman,  
Cushman,  
Englesby,

Flagg,  
Fish,  
Henry,  
Hobart,  
Hutchinson,  
Hollister,  
Kellam,  
Meacham,  
Pennock,

Rublee,  
Reed,  
Richmond,  
Smith,  
Tabor,  
Upham,  
Wallace,  
Williams—26.

So the bill passed under a suspension of the rules.

[Four senators were absent. Senator Crane of Chittenden was absent from the State; Senator Dana of Caledonia, Senator Nichols of Rutland, and Senator Wood of Franklin, were detained by illness.]

Senator Englesby, for the Committee on the Judiciary to whom was referred Senate bill entitled

S. 1. An act providing for change of venue in certain cases; Reported in favor of its passage; and thereupon the bill was ordered to be engrossed and read the third time. It was read the third time, under a suspension of the rules, and passed.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed by the House to inform the Senate that the House have considered Senate bill entitled

S. 1. An act providing for change of venue in certain cases; And have passed the same in concurrence.

The House have adopted on their part, by a unanimous vote, a joint resolution, ratifying by the legislature of Vermont, an amendment to the constitution of the United States, forever abolishing slavery, as proposed by the Congress of the United States,

In the adoption of which the concurrence of the Senate is requested.

Joint resolution from the House relating to the constitution of the United States:

WHEREAS, the Congress of the United States, pursuant to article five of the constitution of the United States, has proposed to amend the said constitution by adding thereto the following, viz:

#### ARTICLE XIII.

SEC. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation;

Therefore, with gratitude to 'Almighty God for the privilege,

and with devout confidence in the ultimate and speedy consummation of this great measure of national justice and policy,

*Resolved by the Senate and House of Representatives, That the said proposed amendment to the constitution of the United States be and the same is hereby ratified by the legislature of the State of Vermont;*

Which was read, and on motion of Senator Reed was referred to the select committee to whom was referred the Governor's message.

On motion of Senator Englesby, leave was granted to the select committee to whom was referred the House joint resolution, to sit during the session of the Senate.

Senator Englesby, for the committee to whom was referred the House joint resolution, reported adversely to its adoption, and its adoption in concurrence was refused.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the the Senate that the House have adopted on their part a joint resolution relating to final adjournment,

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 3. An act to pay the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerks of the House of Representatives, respectively, the sums therein named;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 2. An act declaring the assent of this State to a certain article of amendment to the constitution of the United States;

And have passed the same in concurrence.

House joint resolution

*Resolved by the Senate and House of Representatives, That the President of the Senate, and Speaker of the House of Representatives, be directed to adjourn their respective Houses without day on Friday morning, the 10th instant, at nine o'clock;*

Which was read, and adopted in concurrence.

House bill entitled

H. 3. An act to pay the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerks of the House of Representatives, respectively, the sum therein named;

Was read the first and second time, and, under a suspension of the rules, was read the third time and passed in concurrence.

A message was received from the House of Representatives, by Mr. Clarke, their Assistant Clerk, as follows :

MR. PRESIDENT : I am directed by House to inform the Senate that the House have passed a bill of the following title :

H. 4. An act to provide for paying the expenses of this extra session of the General Assembly ;

In the passage of which the concurrence of the Senate is requested.

House bill entitled

H. 4. An act to provide for paying the expenses of this extra session of the General Assembly ;

Was read the first and second time, and, under a suspension of the rules, was read the third time and passed in concurrence.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has approved and signed bills, originating in the Senate, of the following titles :

S. 1. An act providing for change of venue in certain cases ;

S. 2. An act declaring the assent of the State to a certain article of amendment to the constitution of the United States.

On motion of Mr. Abbott, the Secretary was directed to inform his Excellency, the Governor, and the House of Representatives, that the Senate have completed the business of the session, and are ready to adjourn without day.

Mr. Williams, for the Committee on Bills, reported that they had presented to the Governor for his approval and signature bills, originating in the Senate, of the following titles :

S. 1. An act providing for change of venue in certain cases ;

S. 2. An act declaring the assent of this State to a certain article of amendment to the constitution of the United States.

A message was received from his Excellency, the Governor, by Mr. Williams, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has received their communication that they have completed the business of the session, and that he has no further communication to make to them.

A message was received from the House of Representatives, by Mr. Flagg, their Clerk, as follows :

MR. PRESIDENT : The Governor has informed the House of Representatives that he has approved and signed bills, originating in the House, of the following titles :

H. 4. An act to provide for payment of the expenses of this extra session of the General Assembly ;

H. 3. An act to pay the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerks of the House of Representatives, respectively, the sums therein named.

I am also directed to inform the Senate that the House of Representatives have completed the business of the session on their part, and are ready to adjourn without day.

On the motion of Mr. Williams, the Senate adjourned.

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FRIDAY, MARCH 10, 1865.

The President of the Senate, agreeably to a joint resolution of the two Houses, declared the Senate adjourned without day.

Attest,

HENRY CLARK, *Secretary*.



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# GENERAL INDEX.

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